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ABSTRACT

Based on a survey of state directors of community and junior college education in all 50 states and Puerto Rico, this five-part report presents an analytical and descriptive review of 1981 state legislation affecting community colleges. Part I presents study methodology and describes the two survey instruments, one soliciting information on relevant legislation proposed or enacted during 1981 and the other requesting supplementary data on the statewide coordination of lifelong learning programs. Part II analyzes the findings as they relate to legislation in seven areas: (1) finance, covering topics such as appropriations and capital funds; (2) administration, discussing, for example, governing boards and policy formation; (3) construction and operation of physical facilities; (4) institutional expansion and name changes; (5) personnel benefits and collective bargaining, including information on faculty workload and provisions relating to students; (6) student rights, regulations, fees, and financial aid; and (7) academic programs, covering curriculum, accreditation, and certification. Part III analyzes the intent and impact of legislation on community colleges, providing a review of 1980 findings and a comparison with findings for 1978 and 1981. Part IV presents summary conclusions, and part V analyzes directors' responses regarding the statewide coordination of lifelong learning programs. Appendices include abstracts of relevant legislation and the survey instrument. (KL)

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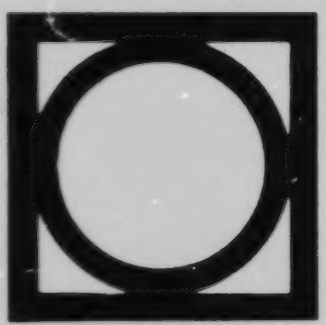
State Legislation Affecting Community, Junior, and Two-Year Technical Colleges 1981

S. V. Martorana and James K. Broomall



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JC 820 382

Prepared in cooperation with the National Council of State Directors of Community and Junior Colleges

Center for the Study of Higher Education
Report No. 38

The Pennsylvania State University
University Park, Pennsylvania

June 1982

HIGHLIGHTS OF 1981 STATE LEGISLATION RELATING TO COMMUNITY, JUNIOR, AND TWO-YEAR TECHNICAL COLLEGES

by

S.V. Martorana and James K. Broomall

Administrative and Fiscal Accountability

This year again FINANCE and ADMINISTRATION received primary legislative attention in 1981. Almost half of the legislative proposals analyzed dealt with these topics.

From a national perspective, State appropriations increased slightly over 1980-1981; ten states showed increases of 10% or more, five showed increases of less than 10%, three showed decreases.

Questions of administrative procedures and the respective roles of institutional boards and state-level coordination and governing boards dominated the administrative agenda.

Legislators See a "Big Picture"

Legislators continue to view the community college as an element of postsecondary education or state government rather than a special entity. In fact, no single topical area used in the analysis was as affected by legislation directed explicitly to the two-year college as by legislation intended to include other types of institutions or the general government. While the community college appears now to be well-established on the education landscape, its future in legislative terms is increasingly tied to that of other government services and educational organizations.

Sharing Resources

The call for fiscal stringency and effective resource utilization was reflected in legislative calls for more interinstitutional cooperation. Legislatures considered this topic and in some states provided financial support for administrative structures to promote and implement this cooperative resource sharing.

Broadening Postsecondary Education

Proprietary schools received legislative attention in several states. The general thrust was to allow these schools to offer formal degrees at the associate level. This broadened concept of postsecondary education is seen as extending the range of educational opportunities and services.

Student Consumerism and Dollars

Proposed federal reductions in student financial aid appear to have motivated some new state legislative involvement in this area. Emerging trends include new availability of education loans for parents of enrolled students and greater extension of financial aid to students enrolled on a part-time basis. Students are generally treated by legislators as consumers of education.

Legislative "Answers" to Academic Questions

Curricular and other academic affairs historically are considered the province of faculty and academic administrators. However, in 1981, legislators increased their attention to academic questions. Vocational and continuing education were especially affected as legislators mandated specific academic programs for several professions, particularly nursing, real estate, and allied health fields.

Interest Groups: Alive and Well

Legislative response to needs of special groups continues to grow. As in 1980, legislators this year extended direct educational opportunities or fiscal subvention for formal learning to a wide range of special groups. Those addressed this year include senior citizens, veterans, National Guard members, social service volunteers, and dependents of service personnel killed in the Iranian rescue mission.

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FOREWORD

Since 1975 the Center for the Study of Higher Education, The Pennsylvania State University, and the National Council of State Directors of Community and Junior Colleges have cooperated in an annual review of state legislation affecting the two-year college. This report is the seventh in the series. The continuing cooperative project represents the Center's concern with the design and dissemination of research particularly related to matters of state-and system-wide policy, governance, and coordination of postsecondary education. This report's intent is to describe and analyze pertinent legislative activity occurring throughout the United States in order to increase the awareness of those involved in postsecondary affairs with these developments.

This report presents information on state legislative actions affecting community, junior, and two-year technical colleges throughout the nation. It includes both the factual material provided by the states and an interpretive evaluation and synthesis of state legislative developments. Additionally, it reports the findings of a survey designed to determine cooperative organizational activity affecting lifelong learning.

The report is designed so that those wishing to gain a broad understanding of legislative matters can do so through a reading of the text while those interested in specific legislative actions can consult the abstracts of the relevant bills and laws. In this regard any inquiries concerning specific legislative items should be addressed to the appropriate state director. Any comments or observations about the work in general, however, should be forwarded to the senior author, Dr. S.V. Martorana, Research Associate in the Center.

William Toombs
Professor and Director
The Pennsylvania State University
Center for the Study of Higher Education

PREFACE

This is the seventh annual survey and analysis of state legislation affecting community, junior, and two-year technical colleges. The National Council of State Directors of Community and Junior Colleges and the Center for the Study of Higher Education, The Pennsylvania State University, have once more supported and participated in the project as they have done since 1975.

The co-authors of this report want to thank the persons and agencies who have assisted with its production. First, we would like to thank the National Council for its continuing interest and financial support of the project. We hope that this study justifies the Council's on-going support and encourages it to cooperate in similar, future reports.

Second, the vital roles of individual members of the National Council and their staff in this project must be acknowledged. Their conscientious efforts provided the original sources of legislative material that provided the foundation for this report. We thank them for their cooperation and assistance.

Finally, we want to acknowledge the continual support provided by the Center for the Study of Higher Education, The Pennsylvania State University. Marilyn Downing provided careful coordination in the preparation of the final manuscript. Ann-Marie Bratton and Pat Duich provided diligent and meritorious secretarial assistance that was essential in the production of this report.

S.V. Martorana
James K. Broomall
June, 1982

I

INTRODUCTION

This is the seventh annual survey and analysis of state legislation affecting community, junior, and two-year technical colleges. The National Council of State Directors of Community and Junior Colleges and the Center for the Study of Higher Education, The Pennsylvania State University, again cooperatively supported and participated in the project. The U.S. Office of Education published studies of state legislation affecting postsecondary education in general from 1957 to 1965. That review was discontinued in 1965, however, and a ten-year hiatus followed in which there was no comprehensive review of legislation. Then, in 1975, the National Council decided to support the reinstitution of an annual review of legislation with a specific focus on community and junior colleges. The Center for the Study of Higher Education at Penn State agreed to participate in this endeavor. Studies of state legislative activity relative to community and junior colleges subsequently were completed and published for the periods 1973-75, 1976, 1977, 1978, 1979, and 1980. Articles summarizing and/or focusing on specific aspects of these studies have appeared in such publications as Community and Junior College Journal, Community College Review, and Community College Frontiers.

Data Collection Procedures

As in previous years, the 1981 study involved a four-step procedure. First, state directors of two-year colleges throughout the

United States and Puerto Rico were mailed a letter on August 19, 1981 requesting copies of bills and/or analysis of 1981 state legislation affecting their institutions and systems. The request also asked state directors to complete a brief survey focusing on organization frameworks to provide lifelong learning at substate levels (See Appendix C). After we received an initial response from the field, follow-up requests were sent on September 24 and October 9, respectively (See Appendices D and E). A preliminary report and analysis of the responses were shared with state directors attending the National Council's annual meeting on November 6, 1981. Respondents who had provided material included in the report were asked to review it to ensure the accuracy and clarity of the data and discussion regarding their states. Finally, during November and December, 1981 and January, 1982, states which had not responded to the requests for information were contacted by telephone to ensure as complete a response from the field as possible.

All fifty-one state directors responded to our request for information on state legislation and forty-five completed the questionnaire on cooperatives to promote lifelong learning. The information provided in Table 1 details the degree of response.

Analytical Procedures

Before beginning discussion of the review of the 1981 legislation, the methods and analytical procedures used here will be briefly discussed. The quantity and variety of legislation received from the states each year is diverse. To organize and present clearly the material to the reader, each piece of legislation is categorized according

Table 1

JURISDICTIONS RESPONDING TO 1981 STATE LEGISLATION STUDY INQUIRIES

ID#	Jurisdiction	Legislation	Inquiry Concerning Life-long Learning Cooperatives
1	Alabama	X	X
2	Alaska	X	X
3	Arizona	X	X
4	Arkansas	X	X
5	California	X	X
6	Colorado	X	
7	Connecticut	X	X
8	Delaware	X	X
9	Florida	X	X
10	Georgia	X	X
11	Hawaii	X	X
12	Idaho	X	X
13	Illinois	X	X
14	Indiana	X	X
15	Iowa	X	X
16	Kansas	X	X
17	Kentucky	X	X
18	Louisiana	X	X
19	Maine	X	
20	Maryland	X	
21	Massachusetts	X	X
22	Michigan	X	X
23	Minnesota	X	X
24	Mississippi	X	X
25	Missouri	X	X
26	Montana	X	X
27	Nebraska	X	X
28	Nevada	X	
29	New Hampshire	X	X
30	New Jersey	X	X
31	New Mexico	X	X
32	New York (a)	X	X
33	North Carolina	X	X
34	North Dakota	X	
35	Ohio	X	X
36	Oklahoma	X	X
37	Oregon	X	X
38	Pennsylvania	X	X
39	Rhode Island	X	X
40	South Carolina	X	X
41	South Dakota	X	X
42	Tennessee	X	
43	Texas	X	X
44	Utah	X	X
45	Vermont	X	X
46	Virginia	X	X
47	Washington	X	X
48	West Virginia	X	X
49	Wisconsin	X	X
50	Wyoming	X	X
51	Puerto Rico	X	X
	TOTAL	51	46

to an established scheme. The approach used here closely follows that of preceding reports in this series.

Reported legislative items are initially classified into two separate categories: enacted and not enacted. Both types are included in the report to provide a more inclusive indication of the full range of issues considered by state legislatures. Since some issues are debated for several years before they become law, introduced legislation may provide an indication of future legislature developments.

This report like its predecessors does not cover all the legislation that was introduced but not passed. The criterion used to determine whether a bill is included here is that the original legislative committee to which it was assigned must have passed it. Bills rejected by a full chamber or a committee of the nonoriginating house and bills vetoed by a governor are reported. Those bills that died in committee or failed when put to a committee vote are not reported. This approach increases the likelihood that those proposals that received some degree of serious legislative attention are included in this report and matters of lesser interest are left out.

After categorization according to the action taken on it, each proposal is analyzed to determine into which of the seven major areas and twenty-five subordinate subject categories it falls. The material presented in Tables 2 and 3 show graphically the results of these procedures on a state-by-state basis while Tables 4 and 5 portray the data in a national context. This procedure is the same one used in each of the six previous studies.

TABLE 2

NUMBER OF LEGISLATIVE ITEMS ENACTED IN 1981

	FINANCE								ADMINISTRATION																PHYSICAL FACILITIES											
	Appropriations		Capital Funds		Financial Procedures				Governing Bodies				Process of Policy Formation				Administrative Operations				Coordination				Studies and Surveys				Enabling Legislation				Building Codes				Construction Procedures				Facility Regulations			
					A[4]	B	C	D	A	B	C	D	A	B	C	D	A	B	C	D	A	B	C	D	A	B	C	D	A	B	C	D	A	B	C	D	A	B	C	D	A	B	C	D
Alabama	1																																									
Alaska	2																																									
Arizona	3				2	1			1				1															1							1				1			
Arkansas	2		2		1									1						1					1																
California	2		4		5								1				2																		1				1			
Colorado	1		1		1	4							2	1			1				1	1						1												
Connecticut	3																																									
Delaware	1																																									
Florida	2									1				2				1										1													
Georgia	2													1				2		5						1				1											1
Hawaii	1		1										1																												
Idaho[2]																																										
Illinois	2		2		2	1					1							1		1	1																				
Indiana[2]																																										
Iowa	3					1		2										1		2		1				1										1					
Kansas[2]																																										
Kentucky[1]																																										
Louisiana[2]																																										
Maine[3]																																										
Maryland	1				1								1	2				1							1																
Massachusetts	5		1			1															1																				
Michigan	2																																									
Minnesota	1		1														1																								
Mississippi	4				2			2					1				1			4																					
Missouri					1								2																												
Montana	2																																									
Nebraska	3		1				1	7									1			2																				
Nevada	1		1										2																												
New Hampshire[3]																																										
New Jersey[2]																																										
New Mexico	3					2		2																																2
New York	2				2	2		1						2		1		2		1																1					
North Carolina	1		1		2			1	2									2		3																				
North Dakota[2]																																										
Ohio	1																	1		1						1														
Oklahoma	1																																									
Oregon	1							1	1				2																												
Pennsylvania	1																																									
Rhode Island																													1												
South Carolina[2]																																										
South Dakota[3]																																										
Tennessee	1									1			1	1											2																
Texas	1																																									
Utah	1																																									
Vermont	1																																									
Virginia	2							1										2		2					2		1													3
Washington	1		2		1			2	1				1				1														1									
West Virginia[2]																																										
Wisconsin	1					1					1				1																										
Wyoming	1																																									
Puerto Rico[2]																																										
Legislation	63		17		19	13	1	19	5	2	-	1	15	9	-	3	7	13	-	22	1	3	-	-	-	8	-	2	-	3	-	2	-	-	-	1	1	-	-	1	2	1	-	6
States	38		11		11	8	1	9	4	2	-	1	11	7	-	3	6	9	-	10	2	2	-	-	-	7	-	1	-	3	-	2	-	-	-	1	1	-	-	1	2	1	-	3
								18				8				16				18				4				7				4				1				2				6

[1] No Session
[2] No Relevant Legislation
[3] No Public Community Colleges
[4] Impact of Legislation by Types of Institutions: A = Community and Junior Colleges Only
B = Larger Segment of Postsecondary Education including Community and Junior Colleges
C = Segments of Postsecondary Education excluding Community and Junior Colleges
D = All State Governmental Bodies

TABLE 2

NUMBER OF LEGISLATIVE ITEMS ENACTED IN 1981
(Continued)

	INSTITUTIONAL GROWTH												PERSONNEL												STUDENTS											
	New Institutions				Institutional Expansion				Name Changes				Restrictions on Growth				Employee Benefits				Employee Rights, Regulations and Responsibilities				Collective Bargaining				Faculty Workload				Rights and Responsibilities				Tuition and Fees				Student Aid			
	A	B	C	D	A	B	C	D	A	B	C	D	A	B	C	D	A	B	C	D	A	B	C	D	A	B	C	D	A	B	C	D	A	B	C	D	A	B	C	D	A	B	C	D
Alabama																						1								1								1			
Alaska																			1																						
Arizona																																											
Arkansas																		1		2			1	2																			
California																				2	1			2									2	3		1				2			
Colorado																			3															1				1						
Connecticut																																		1				2				2			
Delaware																																												
Florida																	1		1					1														1						
Georgia																		2	3			1	1	3											1				3				2			
Hawaii																																									3			
Idaho[2]																																												
Illinois									1									3				1																		1			
Indiana[2]																																												
Iowa																																												
Kansas[2]																																												
Kentucky[1]																																												
Louisiana[2]																																												
Maine[3]																																												
Maryland																		1		2		1		2												1				1			
Massachusetts																																						3							
Michigan																										1														1			
Minnesota																						2																					
Mississippi																																												
Missouri					1																																							
Montana																																												
Nebraska																																												
Nevada																	1							2																			
New Hampshire[3]																					1																					
New Jersey[2]																																												
New Mexico																																												
New York																						2														1				2			1
North Carolina																			1					4			1								1				3		1				
North Dakota[2]																																												
Ohio																			1					1			1								2				3				1			
Oklahoma																																												
Oregon																			8		1			1																			
Pennsylvania																																												
Rhode Island												1																										1						
South Carolina[2]																																												
South Dakota[3]																																												
Tennessee	1																		5					2											1						3			
Texas					2																	1																					
Utah																																												
Vermont																																												
Virginia																																												
Washington					1														1					1											1				1				1			
West Virginia[2]																											1											1						
Wisconsin																																												
Wyoming																																												
Puerto Rico[2]																																												
Legislation	1	-	-	-	4	-	-	-	1	-	-	1					2	7	-	30	3	8	2	20	-	1	-	3	2	-	-	-	2	12	1	1	1	20	1	1	-	18	-	-
States	1	-	-	-	3	-	-	-	1	-	-	1					2	4	-	12	3	7	2	11	1	-	-	3	1	-	-	-	1	11	1	1	1	10	1	1	-	12	1	1
			1				3				2								14				17				4				1				11				12			

[1]No Session
[2]No Relevant Legislation
[3]No Public Community Colleges
[4]Impact of Legislation by Types of Institutions: A = Community and Junior Colleges Only
B = Larger Segment of Postsecondary Education including Community and Junior Colleges
C = Segments of Postsecondary Education excluding Community and Junior Colleges
D = All State Governmental Bodies

TABLE 2

NUMBER OF LEGISLATIVE ITEMS ENACTED IN 1981

	ACADEMIC PROGRAMS								TOTALS	
	Curriculum				Accreditation and Certification				Number of Topics	Number of Pieces of Legislation
	A	B	C	D	A	B	C	D		
Alabama									1	1
Alaska		1	1						7	6
Arizona	2								14	12
Arkansas		1							14	11
California	1	1							33	29
Colorado	1	2			1	2			26	15
Connecticut						1			8	8
Delaware									1	1
Florida	1	2							14	11
Georgia		3				2			34	25
Hawaii		1							7	7
Idaho[2]									-	-
Illinois		1			1				19	17
Indiana[2]									-	-
Iowa									12	10
Kansas[2]									-	-
Kentucky[1]									-	-
Louisiana[2]									-	-
Maine[3]									-	-
Maryland									15	12
Massachusetts									11	9
Michigan									2	2
Minnesota									7	7
Mississippi									15	15
Missouri	1								5	2
Montana									2	2
Nebraska						1			19	17
Nevada		1							6	6
New Hampshire[3]									-	-
New Jersey[2]									-	-
New Mexico	1								10	9
New York									24	23
North Carolina		1							30	25
North Dakota[2]		3				2			-	
Ohio									13	13
Oklahoma									1	1
Oregon	1								16	14
Pennsylvania									1	1
Rhode Island									3	3
South Carolina[2]									-	
South Dakota[3]									-	-
Tennessee		1							19	16
Texas		1							5	4
Utah		1							2	2
Vermont		1							2	2
Virginia		3				1			19	18
Washington									15	14
West Virginia[2]									-	-
Wisconsin									6	4
Wyoming									-	-
Puerto Rico[2]									-	-
Legislation	8	25	1	-	2	9	-	-	477	373
States	8	16	1	-	2	6	-	-		
		20				7				

[1]No Session
[2]No Relevant Legislation
[3]No Public Community Colleges
[4]Impact of Legislation by Types of Institutions: A = Community and Junior Colleges Only
B = Larger Segment of Postsecondary Education including Community and Junior Colleges
C = Segments of Postsecondary Education excluding Community and Junior Colleges
D = All State Governmental Bodies

TABLE 3

NUMBER OF LEGISLATIVE ITEMS NOT PASSED IN 1981

	FINANCE																															
	Appropriations		Capital Funds				Financial Procedures				ADMINISTRATION																				PHYSICAL FACILITIES											
											Governing Bodies				Process of Policy Formation				Administrative Operations				Coordination				Studies and Surveys				Enabling Legislation				Building Codes				Construction Procedures				Facility Regulations			
							A[4]	B	C	D	A	B	C	D	A	B	C	D	A	B	C	D	A	B	C	D	A	B	C	D	A	B	C	D	A	B	C	D	A	B	C	D	A	B	C	D
Alabama																																											
Alaska																																											
Arizona												1					1																										
Arkansas										1		1																															
California																																											
Colorado															1	1																											
Connecticut	1									1		2																	1														
Delaware																																											
Florida																																											
Georgia																																											
Hawaii																																											
Idaho[2]																																											
Illinois			1								2								1																								
Indiana																																											
Iowa																																											
Kansas																																											
Kentucky[1]																																											
Louisiana[2]																																											
Maine[3]																																											
Maryland											1																																
Massachusetts																																											
Michigan																																											
Minnesota																																											
Mississippi																																											
Missouri																																											
Montana																																											
Nebraska										1									1																								
Nevada																																											
New Hampshire[3]																																											
New Jersey																																											
New Mexico	2		2																																							
New York												2				1				1				1																			
North Carolina																																											
North Dakota																																											
Ohio																																											
Oklahoma																																											
Oregon										1							1																										
Pennsylvania																																											
Rhode Island	1																																										
South Carolina																																											
South Dakota[3]																																											
Tennessee																																											
Texas																																											
Utah																																											
Vermont																2																										
Virginia																																											
Washington							1	1			1				1																												
West Virginia																																											
Wisconsin																																											
Wyoming[2]																																											
Puerto Rico[2]																																											
Legislation	4		3				1	1	4		4	8	-	-	2	4	-	2	2	1	-	-	-	1	-	-	-	1	-	-												
States	3		2				1	1	4		4	4	-	-	2	4	-	1	2	1	-	-	-	1	-	-	-	1	-	-												

[1]No Session
[2]No Relevant Legislation
[3]No Public Community Colleges

[4]Impact of Legislation by Types of Institutions: A = Community and Junior Colleges Only
B = Larger Segment of Postsecondary Education including Community and Junior Colleges
C = Segments of Postsecondary Education excluding Community and Junior Colleges
D = All State Governmental Bodies

TABLE 3

NUMBER OF LEGISLATIVE ITEMS NOT PASSED IN 1981
(Continued)

	INSTITUTIONAL GROWTH												PERSONNEL												STUDENTS											
	New Institutions				Institutional Expansion				Name Changes				Restrictions on Growth				Employee Benefits				Employee Rights, Regulations and Responsibilities				Collective Bargaining				Faculty Workload				Rights and Responsibilities				Tuition and Fees				Student Aid			
	A	B	C	D	A	B	C	D	A	B	C	D	A	B	C	D	A	B	C	D	A	B	C	D	A	B	C	D	A	B	C	D	A	B	C	D	A	B	C	D	A	B	C	D
Alabama																			1				2				1															
Alaska																																				1							
Arizona																	1		1																	1							
Arkansas																																											
California																			1														1										
Colorado																																				2					2		
Connecticut																																	1										
Delaware																																											
Florida																																											
Georgia																																											
Hawaii																																											
Idaho[2]																																											
Illinois																					1								2			1					4		1		1	1			1			
Indiana																																											
Iowa																																											
Kansas																																											
Kentucky[1]																																											
Louisiana[2]																																											
Maine[3]																																											
Maryland																																											
Massachusetts																																											
Michigan																																											
Minnesota																																											
Mississippi																																											
Missouri																																											
Montana																																											
Nebraska																																											
Nevada																																											
New Hampshire[3]																																											
New Jersey																																											
New Mexico																																	1				3							
New York																			1		1												1	2			3				2			
North Carolina																																											
North Dakota																																											
Ohio																																											
Oklahoma																																											
Oregon																																											
Pennsylvania																																											
Rhode Island																																											
South Carolina																																											
South Dakota[3]																																											
Tennessee																																											
Texas																																											
Utah																																											
Vermont																																										2	
Virginia																																											
Washington													1						3														1				1	3						
West Virginia																																											
Wisconsin																																											
Wyoming[2]																																											
Puerto Rico[2]																																											
Legislation													1					1		7		1		2		2		2				3	8	1		2	13				7		
States													1					1		6	1	1		1		1		2				2	4	1		2	6				5		

TABLE 3

NUMBER OF LEGISLATIVE ITEMS NOT PASSED IN 1981
(Continued)

	ACADEMIC PROGRAMS								TOTALS	
	Curriculum				Accreditation and Certification				Number of Topics	Number of Pieces of Legislation
	A	B	C	D	A	B	C	D		
Alabama									6	5
Alaska										
Arizona									5	3
Arkansas										
California									2	2
Colorado									6	5
Connecticut	1								7	8
Delaware									.	.
Florida									.	.
Georgia									.	.
Hawaii										
Idaho[2]	2								15	18
Illinois										
Indiana										
Iowa										
Kansas										
Kentucky[1]										
Louisiana[2]										
Maine[3]										
Maryland									1	1
Massachusetts										
Michigan										
Minnesota										
Mississippi										
Missouri										
Montana										
Nebraska			1						3	3
Nevada										
New Hampshire[3]										
New Jersey										
New Mexico									8	8
New York		2				1			18	17
North Carolina										
North Dakota										
Ohio										
Oklahoma										
Oregon									2	1
Pennsylvania										
Rhode Island			1						2	1
South Carolina										
South Dakota[3]										
Tennessee										
Texas										
Utah										
Vermont						1			5	4
Virginia										
Washington		1				2			15	14
West Virginia										
Wisconsin										
Wyoming[2]										
Puerto Rico[2]										
Legislation	3	3	1	-	-	4	-	-	91	88
States	2	3	-	1	-	3	-	-		

[1]No Session
[2]No Relevant Legislation
[3]No Public Community College

[4]Impact of Legislation by Types of Institutions: A = Community and Junior Colleges Only
B = Larger Segment of Postsecondary Education including Community and Junior Colleges
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Table 4

REVIEW OF 1981 LEGISLATION BY
SEVEN MAJOR CONTENT AREAS

Major Area	Legislation Enacted	Legislation Not Passed	Items	Percent
Finance	141	10	151	26.5
Administration	108	19	127	22.3
Physical Facilities	14	0	14	2.5
Institutional Growth	8	1	9	1.6
Personnel	81	15	96	16.9
Students	73	32	105	18.5
Academic Programs	52	14	66	11.6
Total	477	91	568	100.0

Table 5

CLASSIFICATION OF ENACTED AND PROPOSED BILLS
BY TWENTY-FIVE SUBJECT CATEGORIES

Subject Categories	Legislation Enacted	Legislation Not Passed	Total
Appropriations	66	5	71
Capital Funds	20	3	23
Financial Procedures	55	2	57
Governing Bodies	14	8	22
Process of Policy Formation	30	7	37
Administrative Operations	43	2	45
Coordination	6	1	7
Studies and Surveys	10	1	11
Enabling Legislation	5	0	5
Building Codes	1	0	1
Construction Procedures	6	0	6
Facility Regulations	7	0	7
New Institutions	1	0	1
Institutional Expansion	4	0	4
Name Changes	2	0	2
Restrictions on Growth	1	1	1
Employee Benefits	43	8	47
Employee Rights	35	3	36
Collective Bargaining	3	4	7
Faculty Workload	0	0	0
Student Rights and Responsibilities	20	12	31
Tuition and Fees	30	13	40
Student Aid	23	7	28
Curriculum	38	8	45
Accreditation and Certification	14	6	16
TOTALS	477	91	568

Although the area and subject categories are intended to be mutually exclusive, any one proposal may address several different topical issues. Tables 2 and 3, therefore, identify the number of topics covered by the reported bills. Since the number of legislative bills reported for 1981 is less that these topic totals, Tables 2 and 3 have two total columns to note the difference between the topics covered and the number of bills reported. Using this procedure, this report deals with a total of 373 bills enacted and 88 not passed which covered 568 topics, 477 through enacted legislation and 91 through items not passed.

The final phase in our legislative categorization involves classifying all bills, except those regarding appropriations and capital funds according to the type of institutions affected: (A) community and junior colleges only; (B) all postsecondary institutions including community and junior colleges; (C) postsecondary institutions, excluding community and junior colleges; and (D) state agencies in general. These four categories are reviewed for several reasons. Bills that affect only community and junior colleges are analyzed since they are this report's primary focus. However, community and junior colleges are integral to many state systems of postsecondary institutions. In those states, bills directed at postsecondary education in general also affect community and junior colleges. Bills concerned with postsecondary institutions other than community and junior colleges are also analyzed to provide some measure of legislative issues that may eventually affect community and junior colleges. Finally, legislation affecting state governmental agencies as a whole are reviewed since in many states community and junior colleges are viewed as state agencies and are

therefore affected by bills applicable to all state entities. This final category was introduced in the 1979 report to illustrate that legislation affects community and junior colleges as both an element within the broad environment of postsecondary education and the context of state government in general. The 1980 report in this series clearly demonstrates the tendency for legislation affecting state government or postsecondary education in general to have implications for the two-year college.

Once the reported legislation has been categorized according to the several aforementioned classifications, bills in each of the twenty-five subject categories are analyzed. The concern here is to identify prevalent issues in each category that appeared to be receiving attention in several states and single issues reported by only one state but that appear to be of major concern and significance to community college educators. Our intent is to identify and report the most significant legislative developments to the field and, further, to establish trends in legislative concern from year to year. The product of this analysis comprises the major portion of the text following this introduction.

Interpretations and Limitations of the Study

This report, like its predecessors, attempts to separate factual reporting from generalizations and wide-ranging interpretative comments regarding nationwide legislative activity. In the initial sections, descriptive reporting of legislative interest and level of activity exclusively is provided with nominal interpretation attempted. However, the concluding section focuses on questions, issues, and implicatons for

two-year colleges regarding the meaning and importance of the major observations presented factually earlier in the document. Attention is also given to trends in legislative activity. The concluding commentary is considered reliable since the 100 percent response rate and the cooperative and wide-spread involvement of state officials in compiling this report allow for an exhaustive identification of actions pertinent to the field and, further, a broadly based perspective in judging their meaning.

The data included in this report are subject to some limitations; three of which seem especially pertinent. First, all relevant legislative activity occurring in 1981 may not have been reported to us. Some states have staff members specifically assigned to monitor direct and indirect legislative developments regarding community and junior colleges. States without such staff find the identification of all relevant legislation more difficult. Here, of course, the excellent cooperation of the state directors and their staffs is to be emphasized.

The second limitation, somewhat related to the first, centers around the nature of the information provided by the states. We noted earlier our attempt to identify relevant legislation that was either enacted or passed by the committee to which it was originally assigned. We are dependent on accurate reporting of state legislation that was passed by the original committee but ultimately failed. Although confident that this occurs, we have no absolute means to ensure that this is so. We may be occasionally receiving some bills that were introduced but did not pass out of their original committees. Or we may be receiving only the enacted legislation and not the appropriate proposed legislation.

The third limitation regards the continued ambiguity surrounding institutions defined as community colleges and those fulfilling a comparable mission under a different institutional auspices. Thus, there is no relevant legislation included for Indiana, Maine, New Hampshire, and South Dakota. Such state-by-state distinctions influence the information provided to us, and, in turn, affect conclusions and generalizations reached in the final report. These potential discrepancies may cause coverage of fewer legislative items than actually have been considered in the various state legislatures.

II

TOPICAL ANALYSES OF STATE LEGISLATION

Seven major topical areas provide the categories to be analyzed for this report: finance, administration, physical facilities, institutional growth, personnel, students, and academic programs. This section will briefly summarize and review legislation in each of the seven areas. Appendix A provides abstracts of each of the actual bills and laws which form the basis for discussion here. Persons who would like to review a given legislative act or proposal in its entirety or desire more thorough information are encouraged to contact the authors or the state director of community and junior colleges in the appropriate state. This may be especially helpful if a state legislature is considering a piece of legislation which has been enacted in another state.

Two explanatory notes will assist the reader in using this review of the legislation. First, whenever a bill is discussed it is accompanied by an identification number (e.g. 1-1) which also is an index number in Appendix A. This number signifies the state and bill numbers used to organize the legislative abstracts in the appendix; the initial number identifies the state while the second number identifies the item. When a legislation item is identified in the text, the given identification number facilitates reference to the abstract of its substance presented in Appendix A.

The second explanatory point pertains to the report's writing style. Since this study is based on enacted and proposed legislation,

those common observations, trends, or themes in the legislation observed and discussed are developed from both the legislation enacted and that not enacted or not passed. Both types of action in proposals or bills are discussed here. The use of different verb tenses here distinguishes legislation enacted from that not passed. The simple present or past tense is used whenever the discussion focuses on enacted legislation. For instance, the sentence might state that a given bill law or enactment "authorizes" or "authorized" a particular entity to do something. The conditional perfect tense will be used whenever proposed legislation is discussed. For example, the sentence might state that a particular bill "would have allowed" a given entity to do something. Differential employment of verb tenses should signal to the reader whether enacted or proposed legislation is under consideration at a given time.

The topical analysis provided below indicates the degree and type of legislative attention to given areas. Seven topical areas are considered. Finance-related legislation received the primary focus while administration was a close second. In 1981 legislators increased their attention to student and academic issues.

Area 1: Finance

Administrators, faculty, government leaders, and others concerned with community, junior, and two-year technical colleges should realize that 1981 state legislation reflects a continued legislative focus on finance. With few exceptions state legislatures are considering and evaluating public activities that warrant funding and the mechanisms to employ. As in the past, community colleges are affected in two

principal ways. The first is through legislative attention to general state revenues and expenditures; the second is through legislative attention to financing community colleges in particular and post-secondary education in general.

For 1975-1977, the annual studies of state legislation affecting community and junior colleges indicated primary legislative attention given toward administrative issues with financial legislation a close second. However, from 1978-1980, this changed with more financial than administrative bills being reported for the initial time (205 pieces compared to 136) in 1978. In 1979, 252 financial proposals appeared versus 178 administrative bills being reported while the comparable figures were 130 and 117, respectively, in 1980.

The 1981 report reveals a continuation of this trend. The difference between the amount of legislative activity in each area is comparable to that identified in 1980. There were 151 financial bills compared to 127 administrative bills cited this year. In part, this may reflect heightened legislative attention to the administrative operations and policy formation of the two-year institution. Further, state legislators continue to examine governing mechanisms, and call for studies of institutional activity and potential.

The 151 financial bills are distributed among three subject categories: appropriations for operation, capital funds, and financial procedures. This distinction allows for systematic analysis of the intent of finance related legislation. A summary of the pertinent bills follows.

Appropriations for Operations

Bills providing appropriations for operations is the single largest category of finance-related legislation, an expected observation since each state has one or more appropriation acts to support community colleges. This category is subdivided into three groups: bills exclusively providing general operating expenses, bills intended to appropriate revenue for special projects, and bills altering or revising funding formulas. The majority of the legislation considered here falls into the first category, general state appropriations for community and junior colleges or appropriations to the institutions as part of an appropriation to a state's governing board. Twenty-six states reported their appropriation totals for 1981-82. Table 6 lists these states and provides a comparison with appropriation data reported for 1977-78, 1978-79, 1979-80, 1980-81, and 1981-82.

As have been provided in previous reports, some explanatory comments regarding Table 6 are in order. Comparison of data in Table 6 with those in previous state legislative reports might reveal that some figures occasionally will differ in a given report for a particular year than for the same year in a complete report. There are two possible reasons for this. The first is that the difficulty of establishing and maintaining a clear-cut definition of what is to be reported sometimes causes us to receive an incorrect appropriation figure; the second is that we occasionally identify the wrong appropriation figure from a comprehensive report on state appropriations supplied by our state contact. When this occurs in the published report despite efforts to expose and correct them in drafts distributed before final publication,

Table 6

GENERAL APPROPRIATIONS FOR COMMUNITY AND JUNIOR COLLEGES 1977-78, 1978-79, 1979-80, 1980-81, 1981-82

	1977-1978		1978-1979		1979-1980		1980-1981		1981-1982	
State	Appropriation	Percent Change	Appropriation	Percent Change	Appropriation	Percent Change	Appropriation	Percent Change	Appropriation	Percent Change
Alabama*+(1)	$ 33,050,000	14.0	$ 40,000,859	21.0	$ 39,550,000	-1.1	44,745,763	11.6	81,896,798	45.4
Alaska	13,896,200	8.2	---	---	---	---	---	---	33,172,359	---
Arizona*+	39,538,000	14.6	38,352,500	-3.0	38,152,600	-0.5	39,839,500	4.2	38,669,500	2.9
Arkansas	10,650,837	7.4	11,923,939	12.0	14,661,906	23.0	---	---	10,582,212	---
California	---	---	---	---	---	---	1,038,930,930	---	---	---
Colorado	---	---	45,670,628	---	44,320,039	-3.0	53,440,284	17.0	---	---
Connecticut+	24,364,000	12.0	27,163,819	11.5	27,085,800	-0.3	28,172,679	3.9	33,022,982	14.6
Delaware	10,597,522	15.3	14,736,500	39.1	15,800,000	7.2	14,500,000	-8.2	---	---
Florida*+	179,314,348	11.0	192,078,563	7.1	220,852,341	9.4	242,143,210	9.4	278,099,374	12.8
Georgia	---	---	---	---	---	---	---	---	528,484,495(2)	---
Hawaii	21,418,127	14.8	20,845,098	-2.7	21,817,247	4.7	---	---	15,340,000	---
Idaho*+	3,176,400	13.9	3,464,800	9.1	3,464,800	0.0	4,157,700	16.6	3,922,400	-5.6
Illinois*+	115,215,400	1.6	119,772,300	4.0	128,319,000	7.1	168,300,000	---	168,307,950	0.0
Indiana	4,749,206	---	5,505,932	15.9	6,423,343	16.7	44,538,875	---	---	---
Iowa*+	32,714,100	9.8	37,300,000	14.0	42,168,500	13.1	45,926,991	---	48,141,500	4.8
Kansas	---	---	16,200,000	---	---	---	---	---		
Kentucky	---	---	---	---	---	---	18,865,707	---	---	---
Louisiana	---	---	---	---	---	---	16,713,673	---	---	---
Maine	---	---	---	---	---	---	---	---	---	---
Maryland*+	46,162,488	21.0	47,765,233	3.5	45,333,876	-5.1	49,579,972	8.6	58,456,817	17.9
Massachusetts	45,378,117	4.2	52,939,703	16.7	56,257,686	6.3	61,669,787	8.7	---	---
Michigan	110,175,533	---	122,000,000	10.7	134,646,600	10.4	---	---	122,417,000	---
Minnesota	29,358,615	---	30,962,847	5.5	36,150,000	16.8	36,673,186	1.4	---	---
Mississippi*+	24,700,000	21.2	29,000,000	17.4	31,317,000	8.0	35,402,017	11.5	37,396,605	5.6
Missouri	27,600,000	15.3	28,366,378	2.8	28,366,378	0.0	33,264,505	14.7	---	---
Montana	---	---	---	---	1,940,090	---	---	---	---	---
Nebraska	---	---	15,056,000	---	16,078,654	6.8	17,652,400	8.9	19,280,575	9.2
Nevada	6,772,774	6.9	7,469,822	10.3	8,980,220	20.2	12,204,615	26.4	---	---
New Hampshire	---	---	---	---	6,869,500	---	10,463,681	52.3	---	---
New Jersey	47,950,000	41.5	47,950,000	0.0	---	---	---	---	---	---
New Mexico*+	6,208,800	22.3	7,043,400	13.4	8,465,700	20.2	11,525,300	26.6	13,848,600	16.7

Table 6 (Continued)

GENERAL APPROPRIATIONS FOR COMMUNITY AND JUNIOR COLLEGES 1977-78, 1978-79, 1979-80, 1980-81, 1981-82

State	1977-1978 Appropriation	1977-1978 Percent Change	1978-1979 Appropriation	1978-1979 Percent Change	1979-1980 Appropriation	1979-1980 Percent Change	1980-1981 Appropriation	1980-1981 Percent Change	1981-1982 Appropriation	1981-1982 Percent Change
New York	94,456,000	5.6	104,984,000	11.1	---	---	110,628,000	---	---	---
North Carolina	108,155,816	---	139,335,006	28.8	142,117,715	2.0	144,859,976	1.7	175,420,787	21.9
North Dakota	3,636,241	---	---	---	4,727,113	30.0	4,727,113	0.0	---	---
Ohio	35,188,280	---	39,257,327	11.6	45,646,022	16.3	49,802,513	8.3	---	---
Oklahoma	27,772,803	20.3	32,797,195	18.1	---	---	47,295,061	---	57,422,524	21.4
Oregon	41,220,570	18.8	46,503,940	12.8	47,076,107	1.2	---	---	3,000,000(3)	---
Pennsylvania*+	46,651,000	3.9	47,988,000	2.9	49,206,000	2.5	52,687,714	6.6	58,047,000	9.2
Rhode Island	13,459,758	7.9	14,189,983	5.4	15,007,000	5.8	---	---	---	---
South Carolina	34,100,148	21.4	41,797,172	22.6	46,283,355	10.7	51,472,412	10.1	---	---
South Dakota	---	---	---	---	---	---	---	---	---	---
Tennessee*+	24,181,000	10.5	27,577,400	14.0	29,713,000	7.7	32,587,500	8.8	32,182,900	-1.2
Texas	205,855,711	21.3	220,358,424	7.1	239,630,022	8.8	---	---	335,051,551	---
Utah	15,761,000	19.9	24,834,700	N.C.	27,900,500	12.4	28,833,800	3.2	24,599,700	-14.6
Vermont	---	---	528,500	---	---	---	545,360	---	---	---
Virginia	---	---	86,776,910	---	89,645,730	3.3	98,137,875	8.6	103,898,530	6.0
Washington	137,632,934	---	---	---	---	---	---	---	202,249,044	---
West Virginia	---	---	---	---	---	---	8,207,160	---	---	---
Wisconsin	44,676,000	16.0	51,219,638	14.6	53,717,700	4.9	52,019,300	3.1	---	---
Wyoming	---	---	28,000,000	38.0	---	---	30,768,398	---	42,016,180	26.7
Puerto Rico	---	---	---	---	---	---	23,113,705	---	---	---
Average Increase (All States)	---	14.8	---	12.4	---	8.2	---	8.6	---	11.9
Average Increase for States with Data For Last 4 years	---	13.3	---	12.4	---	10.8	---	6.8	---	6.0
Average Increase for States with Data for Last 3 years	---	---	---	13.3	---	11.1	---	6.9	---	6.0

States supplying appropriation data for each of the last four years.
+States supplying appropriation data for each of the last three years.
(1)Includes appropriations to individual institutions not provided in the 1980-1981 data.
(2)Includes total appropriation to the Board of Regents.
(3)Supplemental appropriation.

the state respondent informs us of the error and the following year's legislative survey reports the appropriate correction. Only a few corrections have been made, yet they should be noted.

Three states' appropriation figures warrant preliminary comment. Unlike in past reports, the Alabama figure includes individual appropriations to particular institutions as well as the general operation. We feel that these inclusions provide a more accurate measure of appropriations in Alabama and will provide a benchmark for future appropriations reporting. The appropriation to Georgia is that made to the Board of Regents which governs all postsecondary education, including community colleges, with further breakdown unavailable. Finally, the Oregon figure is only a supplemental appropriation.

Table 6 indicates that most state legislatures still provide increased appropriations in absolute revenue to community, junior, and two-year technical colleges for 1981-82. However, the degree of support is uneven. Alabama, North Carolina, and Oklahoma reported increases over 20 percent; but, the Alabama increase can be attributed to the reason cited above. Four states, Connecticut, Florida, Maryland, and New Mexico, reported growths in appropriations between 10 and 20 percent. Arizona, Iowa, Mississippi, Nevada, Pennsylvania, and Virginia cited growth rates between 1 and 10 percent. Illinois reported no significant change in appropriations. Idaho, Tennessee, and Utah reported declines of 5.6, 1.2, and 14.6 percent, respectively.

The key information given in Table 6 is provided through comparison of the appropriation growth rates over the last six years.

Table 6 indicates a three-year trend in which appropriation growth rates have fallen below the 12-14 percent increases cited in 1977-1978 and 1978-1979. The average 1981-1982 appropriation growth rate was 11.9 percent, which was 3.3 points higher than that of 1980-1981. However, it falls below the 12.4 percent for 1978-1979 and 14.8 percent for 1977-1978. These figures are based on gross means; the appropriation increases for all states reporting figures were averaged. Potential problems may arise because not all of the same states reported figures for each of the years under consideration. To control for this, at least to some degree, those states having provided information for each of the previous three and four years, respectively, are considered separately. Sixteen states met these criteria. The value calculated this way for each of the three and four years was 6.0 in 1981-1982. This figure illustrates a steady decline in level of increase in appropriation for states with data over the previous four years from 12.4 percent to 10.8 percent to 6.8 percent in 1980-1981; the decline of increase for states providing data over the previous three years has been from 13.3 percent to 11.1 percent to 6.9 percent. There is significant variation in the appropriation growth rates from state to state. Also, the rate for a given state fluctuates widely from year to year.

As noted above, general appropriation bills were not exclusively reported in this subject category. Other appropriation related bills deal with funding formulas. Six states reported such proposals or enactment. Three are of particular interest. A Montana Bill (26-1) revises the appropriation and budget procedures relating to community

colleges by authorizing that the board of trustees of a given community college district shall submit a proposed budget to the Board of Regents by August 15, immediately preceding each regular legislative session. This bill also requires that all community college spending, other than that from restricted funds or funds generated by an optional voted levy be controlled under provisions of the state general appropriations act. A Nebraska bill (27-1) "sunsets" the authority to exceed two mills in fiscal year 1983-1984, and provides that an area may levy no more than an additional 2.2 cents per $100 valuation to achieve the maximum increase allowed under the Political Subdivision Budget Limitation Act. Finally, HB 2076 in Arizona (3-9) alters the method for computing the primary property tax levies of Graham and Pinal County Community College Districts.

Other bills dealing with funding formulas were reported but considered only an element of the state funding mechanism. Contract and non-degree credit courses were generally affected here. For example, a New York bill (32-9) includes contract courses in the FTE enrollment of community colleges for purposes of state aid. California legislation (5-17) deletes $8 million from the 1981-1982 apportionments for certain (avocational) noncredit courses and deducts $1,000 per ADA for such classes from the districts.

As in previous reports in this series, bills appropriating funds for postsecondary education institutions for special programs or projects are considered here. Three examples are illustratives. A Connecticut enactment (7-4) appropriated $12,000 for South Central Community College's day care center. The Mississippi legislature ap-

propriated $1,125,000 for manpower development training and programming. Finally, an Alaska bill (2-3) appropriated $200,000 for the University of Alaska Fishery Industrial Technology Center.

Capital Funds

Nineteen bills affecting capital funds were reported in 1981 (16 enacted and 3 proposed). This number represents a slight decline from the twenty reported last year. Given the economic downturn of the past two years and the decline in the traditional college-attending population, the limited attention to and funding of capital projects is to be expected. Capital fund bills are classified into two principal areas: those that directly appropriate capital funds and those that deal with procedures for capital projects legislation. Examples of each type are provided below.

Although several states reported legislation that dealt with the actual appropriation of capital funds for community college systems, units within a given system, or an individual project, only three examples will be presented. The North Carolina State Board of Community Colleges received a $13,759,416 appropriation for capital improvement/expansion (33-2). An Arkansas bill (4-7) appropriated $3,257,212 for constructing and equipping the main campus building for Southern Arkansas University's El Dorade Branch. Massachusetts reported a supplemental $5 million appropriation for planning Roxbury Community College's new campus and renovating and furnishing the Boston Trade School to be used as a temporary campus (21-1).

There were also bills addressing the financial procedures and mechanisms for capital projects. For example, Washington legislation (47-8) authorizes the sale of bonds to finance community college construction. AB 1452 in California removes district capital outlay revenue (derived from permissive tax overrides) from the base used in determining districts' maintenance of child development activities.

Financial Procedures

As in the 1980 report, the number of legislative bills relating to financial procedures was second in number only to appropriations. Structural and procedural issues are the principal foci of legislative attention. This has become increasingly obvious with each report in this series. Bills affecting financial procedures (enacted and not enacted) were reported in 1981. Legislative action affects community college financial procedures in myriad ways. The locus of authority over financial decision making, fundamental tax policies, and the budgetary process are all affected potentially. A classification scheme was applied to clarify legislative activity in this area. Each bill was classified in one of eight subcategories listed below:

1. Legislation that addresses tax policies.
2. Legislation resulting in greater institutional flexibility.
3. Legislation resulting in less institutional flexibility but not more state control.
4. Legislation resulting in greater state control over the expenditure of funds.
5. Legislation resulting in a greater amount of funds available to institutions.

6. Legislation resulting in a decrease in available funds.
7. Legislation affecting auditing and/or accounting procedures.
8. Legislation that leads only to procedural changes in the fiscal or budgetary process.

Table 7 indicates the number of bills falling into each of these sub-categories in 1981, and Table 8 compares data over the last five years.

Since there are a comparable number of bills dealing with financial procedures in 1980 and 1981, some comparisons are suggested. First, there was a slight increase in the degree of legislation increasing state control over financial matters from 1980 to 1981. Second, the amount of legislation dealing with tax structure and policies remains the same. Third, there is no change in financial procedures' degree of flexibility. Finally, there is an increase in the amount of legislation dealing with procedural matters.

Tax structure and policies. Eleven bills from five states address tax structure and policy matters. While some legislation deals exclusively with state tax policies, others affect tax policies that influence state revenue. Legislation of this type could influence state fiscal support of community colleges. The general tenor of tax structure bills reported this year increase state as opposed to local discretion in taxing.

Legislation in three states reflects the trend cited above. SB 2533 in Mississippi authorizes the use of county tax enlargement and improvement taxes for two-year college repairs (24-7). An Iowa bill (15-7) provides for an additional tax for a cash reserve fund contingent

Table 7

FINANCIAL LEGISLATION AFFECTING COMMUNITY, JUNIOR AND TECHNICAL TWO-YEAR COLLEGES: TYPE OF IMPACT--1981

	Legislation Enacted	Legislation Not Enacted	Total
Tax Structure and Policies	11	0	11
More Institutional Flexibility	6	0	6
Less Institutional Flexibility	1	1	2
More State Control	8	1	9
More Funds for Institutions	6	0	6
Less Funds	1	0	1
Auditing/Accounting	1	0	1
Procedural	19	5	24
TOTAL	53	7	60

Table 8

FINANCIAL LEGISLATION AFFECTING COMMUNITY, JUNIOR, AND TECHNICAL TWO-YEAR COLLEGES: TYPE OF IMPACT--1977, 1978, 1979, 1980, 1981

	Legislation Enacted					Legislation Not Enacted					Total Items				
	1977	1978	1979	1980	1981	1977	1978	1979	1980	1981	1977	1978	1979	1980	1981
Tax Structure and Policies	--	--	23	6	11	--	--	9	2	0	--	--	32	8	11
More Flexibility	9	18	14	4	6	3	2	7	2	0	12	20	21	6	6
Less Flexibility	5	9	5	3	1	1	5	3	2	1	6	14	8	5	2
More State Control	12	7	10	5	8	6	3	11	7	1	18	10	21	6	9
More Funds	7	8	3	3	6	5	5	5	1	0	12	13	8	4	6
Less Funds	8	7	2	1	1	1	7	2	0	0	9	14	4	1	1
Auditing	3	2	6	1	1	2	2	0	1	0	5	4	6	2	1
Procedural	17	18	25	17	19	9	6	4	2	5	26	24	29	19	24
TOTAL	61	69	88	40	53	27	30	41	11	7	88	99	129	51	60

on certification by an area school's board. Nebraska legislation empowers the tax commissioner to implement corrective measures in any county that fails to implement the valuation guidelines established by the commissioner.

More flexibility. Five states reported six bills designed to increase institutional financial flexibility. A Colorado enactment provides that direct grants made to junior college districts and area vocational schools may be made directly to such districts or schools and need not be forwarded to the respective county treasurers (6-4). SB 292 strikes the requirement that an annual investment report be filed with the state auditor and the requirement that a list of depositors be filed with the county treasurer (15-5). A Virginia bill authorizes that endowment funds and unrestricted gifts to institutions from private sources shall not be taken into consideration or be used to reduce State appropriations.

Less flexibility. Two bills from two states that focus on decreased institutional flexibility were reported: one passed, one failed. A Washington bill (47-4) limits the use of fund balances. Florida legislation which failed would have removed from community college calculation of FTE adjustment the factor of FTE being more than 8 percent less than anticipated for the biennium. The bill would have specified also that senior citizens attending classes on fee waivers not be counted in the FTE calculation.

More state control. Nine bills reported in 1981 dealing with financial procedures extended state control over fiscal affairs.

AB 1217 in California gives the Board of Governors full responsibility to define, establish, and maintain budget and accounting structure procedures for the districts (5-5). A North Carolina bill requires that local boards of trustees adopt budget resolutions in compliance with State Board regulations (33-4). Iowa legislation (15-6) provides for the General Assembly to appropriate federal funds received in the form of block or categorical grants. Legislation in both California and North Carolina were specifically directed to community colleges.

More funds. Five states reported bills that would provide community colleges with more funds. Examples from three states indicate the nature of this legislation. A New York bill (32-21) amends the State assistance formulas to increase the level of State financial support for public library systems including college and university libraries. A California enactment authorizes a 5 percent cost of living increase for community college apportionments and 2.5 percent increase for increases in average daily attendance (ADA). LB 284 in Nebraska distributes $10 million in personal property tax relief funds.

Less funds. Only one bill relating to reducing funds for community colleges was reported. A bill in California (5-17) which would have reduced state funds for community colleges runs counter to a trend in the national scene which began in 1979 toward fewer proposals which would reduce appropriations to community colleges.

Audits. Only one bill dealt with audits. It authorizes New Mexico's Board of Education Finance to initiate the procedure for compliance auditing by state educational institutions (31-61).

Procedural. Twenty-four bills, the most in any single category, were categoried as changing financial procedures in 1981. Procedural bills dominated financial procedure legislation last year as well. Procedural bills generally make only minor changes in financial procedures affecting community colleges. A Washington bill which did not pass would have modified fee refund rules for courses which begin after the regular quarter (47-17). HB 1340 in Colorado places responsibility of payment for Workmen's Compensation and liability insurance benefits to those engaged in paid, on-the job cooperative education or internship training programs on the student's employer rather than the educational institution sponsoring the program (6-9). An Illinois enactment (13-7) amends both the School Code and Community College Act to raise the minimum amount at which contracts must be taken from $2,400 to $5,000.

Area 2: Administration

As in 1979 and 1980, state legislation affecting community, junior, and two-year technical college administration follows legislation affecting financial matters in number. A total of 125 bills with legislative impact on this function was reported in 1981. Following the classification scheme employed in previous reports, the bills were categorized in six areas: governing bodies, the process of policy formation, administrative operations, coordination, studies and surveys, and enabling legislation.

Before treating the six administration subject categories in detail, some preliminary comments are in order. Slightly over 22 percent of the legislation reviewed fell into the administrative-related cate-

gory. Bills in the subcategories of administrative operations and the process of policy formation were most frequently reported. Bills in the subcategories of coordination and enabling legislation were the least frequently reported. A review of the legislation appearing in each category will more clearly illustrate the meaning of the administration-related legislation.

Governing Bodies

The analysis of legislation affecting state-and local-level governing bodies considered board composition and procedural execution of policy only; proposals touching upon substantive issues of governing boards' authority were examined under the subject category "process of policy formation." Twenty-one bills (13 enacted and 8 proposed) were reported relating to establishment or composition of governing bodies.

In 1980, there was legislative attention in Massachusetts, Connecticut, and Rhode Island to the establishment of new boards at either the state-or local-level that influenced community college operations. Although there was no legislation of this magnitude, administrative reorganization was addressed. A bill which did not pass in Arkansas (HB 573) would have dismembered the existing University of Arkansas system (4-14). HB 2429 in Arizona would have created a commission for vocational and technical education (3-17).

Board composition and membership also received a great deal of attention. Four examples are illustrative. A Tennessee bill (42-15) authorizes that gubernatorial appointments to the Tennessee Higher Education Commisson be relative to the representation of congressional districts. HB 958 in North Carolina sets the date for the House of

Representatives and Senate to each elect one member to the State Board of Community Colleges (33-10). Two legislative proposals which failed also would have changed board composition, AB 7883 in New York (32-29) would have authorized the appointment of at least three alumni to the State University Board of Trustees and SB 601 in Maryland (20-13) would have added a county council member to Worcester-Wicomico Technical Community College's board.

Finally, some topics relating to "governing bodies" also dealt with procedural matters. Two Illinois' bills are indicative of this type. HB 1458, which failed, would have delayed repeal of the Adult Education Act from July 1, 1981 to July 1, 1982 (13-26). An Illinois' enactment which passed (13-4) amends the "Open Meetings Act" by specifying the procedures for closing a meeting to the public.

Process of Policy Formation

Legislation in this subject category includes bills that determine the focus and scope of authority at local and state levels. Thirty-six bills (29 enacted and 7 proposed were reported).

While there was no enacted legislation to establish new state boards, administrative reorganization was addressed. An Arkansas bill (4-1) divides the State Department of Education into two principal divisions: General Education and the Vocational and Technical Education Division. Each is to be administered by a separate director. A supplemental budgetary appropriation bill in Massachusetts (21-6) is designed to facilitate the legislative mandate to merge Boston State College and the University of Massachusetts at Boston.

State-level authority can also be altered through redefinition of a state board's responsibilities. Several states reported measures to extend state-level authority. A Colorado enactment changes the appropriations process from individual appropriations to individual colleges to appropriations directly to the governing boards; authority for the decision on how much money each institution will receive and tution decisions are also transferred directly to these governing boards (6-15). HB 512 (42-9) places the newly merged Chattanooga State Technical Community College under the control and management of the Board of Regents. A Maryland bill authorizes the State Board for Higher Education to create and provide for the operation of a guaranty fund for postsecondary, nondegree granting, proprietary institutions of education (20-12). SF 1132 (23-7) in Minnesota mandates that the State Board for Vocational Education may approve, disapprove, or modify a plan for awarding associate degrees at area vocational-technical institutes. SF 1113 in the same State would have established a new governance structure to promote sharing the administrative support staff and faculty in communities with both technical institutes and community colleges. A proposal which failed in Vermont (45-6) would have clarified and systematized state procedures for approving and certifying postsecondary education and for granting authority to give degrees. A Washington bill which failed would have imposed an enrollment ceiling on community colleges (47-27).

State legislative attention was also given to the authority of local boards. Three examples are illustrative. Connecticut legislation (7-13) which did not pass reaffirmed authorization of the boards of

trustees of each of the three constituent units participating in the Central Naugatuck Valley Region Higher Education Center to be responsible for the academic programs in the institution under its jurisdiction. HB 1646 in Maryland authorizes the governing board of any public educational institution to enter into an agreement with appropriate law enforcement agencies to execute under certain conditions particular duties regarding access to the institutions' buildings or grounds (20-8). An Oregon bill allows community colleges to enter into annuity agreements with property donors (37-3).

Administrative Operation

Bills reported in this section typically deal with general managerial issues. Although administrative operation legislation may have nominal substantive impact on the decision-making process, procedural bills can influence institutional direction. Forty-five (43 enacted and 2 proposed) fell into this category in 1981.

There is continued legislative attention to clarification of open meetings and freedom of information. Four states reported legislation of this type. In Mississippi, SB 2113 (24-11) amends open meetings' procedures to specify reasons for calling executive meeting and requires recording of each vote taken at all meetings. An Iowa bill exempts from the open meetings law those involving a governmental body discussing specific strategies in matters relating to employment conditions of public employees not covered by a collective bargaining agreement (15-20). HB 1048 in Illinois requires local units of government intending to increase their tax levies by more than 5 percent of the previous year's levy to hold public hearings on the proposed increase. A New

York bill which did not pass (32-23) would have required that any part of an application for admission to an in-state institution which requires disclosure of an applicant's race, religion, creed, or national origin be separated from the applicant's file and be used only to supply statistical information to the State and Federal governments.

Other bills in this category range widely in their focus. The Virginia and Illinois Legislatures each address military recruiters' access to education institutions. SB 687, in the former, allows military recruiters to have the same access to student information as provided to occupational and educational recruiters (46-10). The Illinois bill (13-11) amends certain acts requiring equal access on school campuses to official military recruiting representatives if access is allowed to persons whose intent is to make students aware of educational opportunities available to them. A Mississippi bill (24-9) requires development and implementation of an energy management plan by all public agencies. In North Carolina an enactment permits community colleges to deposit funds in savings and loan associations (33-12).

While legislative attention obviously is given to macro-public policy topics, specific administrative techniques are also affected. The bills discussed here illustrate this. Legislative activity in the realm of administrative operation has institutional and state implications.

Coordination

As in 1979 and 1980, state legislatures did not devote major attention to questions of coordination in 1981. Only seven bills deal with this topic. The general tone of the legislation is to encourage co-

operation among institutions to extend educational opportunities. Three examples are illustrative. A New York proposal (32-27) would have permitted the establishment of regional college cooperative service agencies that could include both independent and public institutions of higher education, certain city school districts, public library systems, or reference and resource library systems. The bill would have also established a new regional governance substructure to be formally involved in master planning. Proposed legislation in Florida would have required the Board of Regents to encourage formation and operation of regional postsecondary education institution consortia and would have provided for the administration and office operation of those approved (9-17). A Colorado bill which passed authorizes the Commission on Higher Education to enter into reciprocal agreements with contiguous states to enhance educational opportunities for Colorado residents (6-8).

Studies and Surveys

Eleven bills (10 enacted and 1 not enacted) were reported in 1981 to authorize various types of studies. Legislation in this area generally focuses on three principal topics: academic programs and curriculum, administrative, and financial procedures.

In the realm of academic programs and curriculum, three bills are illustrative. A Tennessee bill (42-17) authorizes a continuing examination of all vocational education programs. An Ohio enactment establishes a committee to investigate the state's nursing shortage (35-10). HJR 225 in Virginia (46-13) continues the study of vocational-technical and career education.

Two bills reflect legislative attention to administrative and financial procedures. An Arkansas bill calls for a study of the existing practice which allows for the Director of the Department of Higher Education to serve at the Governor's pleasure (4-11). One Iowa enactment (15-10) requests that the legislative council appoint a joint subcommittee to conduct a comprehensive study of the funding of the merged area school system.

Enabling Legislation

There were only five bills in 1981 that dealt with enabling legislation. Two examples are provided. HB 701 in Florida (9-2) created the Florida Adult General Education Act and the Postsecondary Education Planning Commission and identifies their respective purposes, definitions, and responsibilities. A Colorado bill created the Postsecondary Education Facilities Authority as an independent body politic and corporate and political state subdivision (6-1).

Administrative Legislation and Institutional Autonomy

A major issue facing those interested in and providing leadership to the community college is the degree to which individual community, junior, and two-year technical colleges can act autonomously to serve local needs. Legislative developments affect institutional autonomy since they may explicitly harness institutional activity and establish procedural stipulations to impede institutional performance. Therefore, each of the annual legislative studies in this series tries to measure the impact of state legislative actions on local institutions.

The method of categorization used here follows that employed in previous reports so as to better understand the effect of legislative actions on administrative operations at the local institutional level. All bills in the subject categories of governing bodies, policy formation, administrative operations, and coordination were classified according to whether their effect is likely to be felt primarily at the state level, the institutional level, or at both levels. An additional two-fold distinction was made for all bills which had the potential to have an impact at the local level. First, the language of each relevant bill was reviewed to determine if the legislative intent is to require certain actions (mandatory) or simply to permit them (permissive). Second, each bill's content was analyzed to ascertain whether the legislative action has the effect of eroding institutional autonomy, supporting institutional autonomy, or providing for procedural changes that did not substantively affect institutional autonomy.

In line with the analytical technique used in the 1977-1979 studies, the bills were not identified separately according to each of the five categories -- mandatory, permissive, erosive, supportive, and procedural. Rather, they were cross-tabulated (i.e., mandatory-erosive, permissive-supportive, etc.). The results of this process are shown graphically in Tables 9 and 10. Table 9 provides information on 1981 legislative action while Table 10 offers a comparision of the 1978-1981 tabulations.

One hundred and twelve bills with a potential locak impact are reported in the four administration subject categories used for this anaylsis. This is a significant increase over the number reported last

Table 9

ADMINISTRATION RELATED LEGISLATION:
TYPE OF IMPACT, 1981

	Mandatory Bills	Permissive Bills	Total
Erosive Bills	25	0	25
Supportive Bills	14	5	19
Procedural Bills	64	4	68
TOTAL	103	9	112

Table 10

ADMINISTRATION RELATED LEGISLATION:
TYPE OF IMPACT, 1978, 1979, 1980, 1981

	Mandatory Bills				Permissive Bills				Total			
	1978	1979	1980	1981	1978	1979	1980	1981	1978	1979	1980	1981
Erosive Bills	32	31	15	25	1	1	15	0	33	32	15	25
Supportive Bills	3	10	7	14	6	9	4	5	9	19	11	19
Procedural Bills	27	22	20	64	3	6	4	4	30	28	24	68
TOTAL	62	63	42	103	10	16	23	9	72	79	50	112

year. Table 9 indicates that the language of a major portion of the 1981 bills mandated rather than permitted certain actions (103 bills versus 9). In the area of context, the overwhelming number of bills fell into the procedural category (68), with erosive (24), and supportive (19), following well behind.

A comparison of the tabulations for the previous years, provided in Table 10, illustrates trends. First, for the second consecutive year, procedural bills were the most frequently cited type of legislation. Since this typically reflects a legislative concern with the "nuts and bolts" of administrative operation, the potential impact is problematic. Second, there is a slight increase in the percentage of erosive legislation in 1981 over 1980. Third, legislative language concerning administrative-related bills continues to be generally mandatory. Thus, administrative legislation usually requires certain action. Examples of the bills falling within each cross-tabulated category are provided below. Some of the bills included here have been discussed elsewhere but illustrate points regarding institutional autonomy.

First, some states reported measures to establish statewide governing bodies or commissions. For example, HB 2429 in Arizona would have created a commission for vocational and technical education (3-17). A Colorado enactment creates the Colorado Postsecondary Educational Facilities Authority as an independent body corporate and official state agency; it establishes a governing board and specifies the scope of its authority relating to facility financing (6-1). SB 2404 in North Dakota creates the Higher Education Study Commission and provides for its membership, duties, responsibilities, and administrative procedures

(34-1). A Florida bill (9-2) creates the Postsecondary Educational Planning Commission and provides it with financial and technical assistance. Second, some legislation extends the authority of existing boards. AB 62 in Nevada authorizes that the Board of Regents shall adopt and promulgate regulations establishing a system of probation and fair dismissal for professional employees of community colleges (28-3). A Colorado bill changes the appropriations process from specific appropriations to individual colleges directly to the state-level governing boards (6-15). A third set of bills deals with membership and election standards for local governing boards. For example, a Connecticut proposal which was not enacted (7-11) would have established guidelines for appointment to and membership on boards of trustees for constituent units of public education.

Fourteen bills are reported in the mandatory-supportive classification. The legislation increased local institutional discretion in administrative and fiscal matters. Three examples are illustrative. HB 1646 in Maryland authorizes the governing board of any public educational institution to enter into an agreement with appropriate law enforcement agencies to assume defined responsibilities regarding access to the institution (20-8). A Virginia bill (46-9) authorizes postsecondary institutions to provide for the disposition of certain unclaimed property. AB 662 in Nevada extends the subpoena power to community college presidents (28-2).

Sixty-four bills are classified as mandatory -- procedural. Although these proposals mandate certain actions, they do not affect institutional autonomy. An Arizona bill (3-5) prescribes that employees

and spouses are not eligible to serve on the community college district governing board in the district in which the employee is employed. The Oregon legislature passed a similar bill (37-2). AB 1726 in California (5-9) repeals approximately 500 unnecessary sections of the Education Code relating to community colleges and amends 200 sections as well. A Virginia enactment requires that state agencies file their publications with the State Library (46-6). The Nebraska legislature passed a bill that requires smoke detectors be installed in all new and existing dwellings, including dormitories.

No bills classified as permissive-erosive were reported.

Five bills are classified as permissive-supportive. A proposed bill which failed in Connecticut would have allowed each board of trustees of a constituent unit of higher education to elect its own chairperson (7-10). SB 1139 permits community college governing boards to charge a mandatory or optional health fee (5-29).

Four bills are classified as permissive - procedural. North Carolina legislation permits community colleges to deposit funds in savings and loan associations (33-121). HJR 100 in Maryland (20-61) urges the Governor to organize a task force to study the purchase of tax deferred annuities on behalf of eligible state employees.

Area 3: Physical Facilities

Fourteen bills affecting community college physical facilities were reported in 1981. Topics addressed range from renting and leasing property to procedures affecting contract bids. Bills in this category are classified into three areas: building codes, construction procedures, and facility regulations. Each will be considered below.

Building Codes

One bill was reported that affects building codes. A Virginia bill authorizes a uniform statewide building code (46-5).

Construction Procedures

Six bills that affect construction procedures were reported. In general they deal with the granting of contracts. A New York bill (32-5) authorizes the State University Construction Fund to award construction contracts without competitive bidding up to $20,000 instead of the present statutory limit of $10,000. AB 2014 in California requires school and community college districts to utilize competitive bidding in contracts involving more than $12,000 for work or more than $16,000 for materials or suppliers (5-22).

Facility Regulations

Seven bills are classified in the facility regulations category. An Arizona bill (3-2) allows the local district governing board to lease real property, as lessor or lessee, if the State Board authorizes it. SB 806 in Virginia eliminates the requirement that the Division of Engineering and Building review acquisition of real property for temporary periods (46-11). Other bills in this category deal with fire safety in New York (32-17) and energy conservation in Virginia (46-16).

Area 4: Institutional Growth

The 1981 legislation reflects nominal attention to institutional growth. When the topic was addressed, procedural matters were usually considered.

New Institution

Only Tennessee reported a bill to develop a new institution through consolidation. HB 512 (42-9) merges Chattanooga State Technical Community College with the Chattanooga State Area Vocational-Technical School.

Institutional Expansion

Four relevant bills were reported here. Two Texas laws are illustrative. HB 1182 authorizes annexation of territory by junior college districts with an annual income of $25 million or less; HB 389 authorizes extension of junior college district boundaries to include adjacent or contiguous school districts located in counties of 500,000 or more people.

Name Changes

Two states reported bills designed to change the name of two-year institutions. In each, the change is from the term "junior" to "community" college. A Rhode Island bill (39-1) corrects references in the law to Rhode Island Junior College to reflect the name change to Community College of Rhode Island. HB 377 in Illinois amends various acts by eliminating obsolete references to junior colleges and substituting either public community college or private junior and public community college (13-3).

Restrictions-on-Growth

Only one proposed bill related to restrictions on two-year college growth. An unsuccessful Washington proposal would have imposed an enrollment ceiling on community colleges (47-27).

Area 5: Personnel

There has been a trend over the last few years toward greater legislative attention to personnel matters. In 1981, 16.8 percent of the total legislation focused on personnel issues.

Personnel bills are classified into four areas: employee benefits, employee rights, collective bargaining, and faculty workload. Legislation in California alone addresses the last topic.

Employee Benefits

Forty-seven (43 enacted and 4 proposed) of the eighty-nine personnel bills address employee benefits. While a range of benefits' bills were reported, those that deal with retirement are predominant. This continues a trend identified during the last few years. Several elements of employee retirement are considered.

Most legislative activity considers current retirement provisions. LB 463 in Nebraska requires technical and community college employees working after age 65 to continue to contribute to their retirement system until they actually retire (27-14). A Washington proposal (47-24) would have eliminated the mandatory retirement age. Oregon legislation (37-9) provides a special two-year pension increase for those already retired in addition to the annual 12 percent cost-of-living adjustment. Finally, a North Carolina bill eliminates the payment of interest in return on accumulated contributions from the state's retirement systems except to members with five or more years of membership service (33-18).

Some states reported legislation to allow those eligible for retirement to continue to work. The Maryland legislature (20-5) passed a bill that provides that a teacher in an optional retirement program may continue employment for a certain period of time after a given age if the participant adheres to certain procedures. An Illinois bill amends the State's Pension Code by allowing annuitants of the University Retirement System to work part-time for a state university and still receive their full retirement benefits (13-8).

A third set of retirement-related legislation pertaining to early retirement: SB 174 in Colorado establishes a reduction formula to allow for early retirement (6-12). An Oregon bill (37-7) allows Public Employee Retirement System members with 30 years of service to retire at age 55, and extends for the first time to state and community college employees the right to retire at age 58 without a pension reduction. Illinois passed legislation that amends the Pension Code and grants State University Retirement System members the opportunity to retire early without penalty (13-2).

Along with retirement legislation, several states reported bills related to fringe benefits like group health insurance, sick leave, and annual leave. SB 107 in Tennessee authorizes a group insurance plan for certain state employees to provide life, accident, dental, and medical expense insurance (42-11). An Arizona bill (3-4) increases the state contribution for state employees' health and accident insurance coverage. A Florida bill (9-18) which failed would have authorized community college boards to provide accumulated "sick leave" terminal

pay. Tennessee legislation permits state employees to use accrued "annual leave" for professional purposes (42-5). A Washington proposal (47-16) would have permitted public employees to accrue up to 50 days of annual leave per year.

Employee Rights and Regulations

There is a slight decline in 1981 in the percentage of state legislation devoted to the rights and regulations affecting public employees. In the area of personnel, legislation in this category is second in number to employee benefits. Illustrative bills will be discussed below.

Affirmative action and the prevention of employee discrimination received major attention in 1981. HB 3281 in Oregon requires community colleges when making reductions in force to consider and maintain affirmative action plans and goals (37-12). An Alaska bill (2-4) prohibits sex discrimination in public education. An Illinois proposal which failed would have prohibited public universities and community colleges from committing employment discrimination on the basis of sexual orientation (13-18). Finally, the Georgia Legislature passed a bill which provides that employers may not refuse to hire, may not limit, segregate, or classify handicapped individuals in a way which deprives them of employment opportunities (10-4).

The rights of law enforcement officers receives attention in three states. SB 4761 in New York permits university law enforcement officers to issue appearance tickets (32-4). A second New York bill which failed would have extended to community college security officers the same law enforcement powers and responsibilities given to university officer

(32-29). A Georgia enactment (10-17) creates the State Indemnification Fund to indemnify law enforcement officers including University System law enforcement officers killed in the line of duty.

Two states passed laws that deal with financial and information disclosure. HB 1712 in Maryland (20-2) redefines terms, repeals certain provisions, and prohibits certain actions under the financial disclosure provisions of the State Ethics Law. A bill introduced in Arizona would have established guidelines for disclosure of information by public employees (3-16).

Procedural due process for state employees receives attention only in one state. A Tennessee law (42-12) requires that appointing authorities who dismiss, demote, suspend, or transfer involuntarily an employee from one county to another shall notify him of the right to appeal that action and the time period within which to exercise that right.

A final issue in this category, as in 1980, is the attempt to extend liability protection to certain employees. A New York enactment provides defense and indemnification protection for trustees, officers, and other employees of the State University Construction Fund on any civil action in state or federal court arising from acts or omissions which occurred while the trustee or employee was acting within the scope of his employment or duties (32-6). LB 273 in Nebraska authorizes that the court costs and attorney fees incurred by a public official or employee shall be paid by the governmental body which he represents (27-6).

Collective Bargaining

Seven legislative items in 1981 (3 enacted and 4 proposed) focus on collective bargaining. As in previous years, legislative attention to this issue is less than that given to employee benefits or rights and responsibilities. However, unlike in 1980, several states address the right of public employees to strike. SB 1252 in Arizona (3-15) would have allowed for collective bargaining. An Illinois proposal which failed would have authorized the right of educational employees to organize and bargain collectively (13-31). A similar bill (13-24), in Illinois, would have provided for collective bargaining and created the Illinois Educational Labor Relations Board to administer the legislation. HB 91 in Ohio recognizes the validity of collective bargaining by public employees (35-3).

Two other state legislatures passed legislation with implications for collective bargaining. A North Carolina bill (33-24) provides that any state or local government or agency employee, who, in concert with two or more other employees, strikes or willfully refuses to work is considered to have terminated his employment. AB 66 in Wisconsin re-institutes a "sunset" date (July 1, 1987) for the mediation/arbitration provision of the state collective bargaining law (49-3).

Faculty Workload

Two laws enacted by the California Legislature address faculty workload. AB 1149 (5-13) allows districts to reassign faculty up to a maximum of 15 days for specified activities. AB 1626 (5-18) limits the ratio of part-time faculty in 1981-1982 and 1982-1983, to the 1980-1981 proportion for each district; districts with fewer than 28 percent part-time faculty are exempt.

Area 6: Students

Ninety-eight items (72 enacted and 26 not passed) dealing with students and student affairs were reported in 1981. This represents about 18.7 percent of the legislation and is of comparable volume to the three previous studies. These proposals are categorized by three subject topics: student rights, responsibilities, and regulations; tuition and fees; and student aid. Legislation in each subject category will be discussed below.

Student Rights, Responsibilities and Regulations

Legislation reported in 1981 reflects a renewed commitment to provide students with a more significant role in institutional decision-making that affects them. This breaks a trend identified in 1979 and 1980 of decreased legislative attention to this topic. Four states reported five bills designed to increase student participation; yet, none of the bills were enacted. An Illinois proposal which failed to be enacted would have granted student members of the Board of Higher Education full membership rights, including the right to vote (13-29). HJR 3 in New Mexico (31-14) would have authorized a constitutional amendment to add a student to each of the state's governing boards. A bill in New York would have extended voting privileges to student members of community college boards of trustees (32-24).

A second group of bills relate to extending educational opportunities to under-served clienteles. Three examples are noteworthy. A Washington enactment (47-6) establishes a fund to finance facilities for handicapped students; several of these facilities may be constructed on

community college campuses (47-6). A New York proposal (32-28) would have authorized the Commissioner of Education to establish pilot projects pursuant to which culturally underserved individuals and groups would be issued passes to attend special programs provided by cultural and/or educational institutions or organizations. AB 1305 in California appropriates revenue from the loan portion of the Fund for Instructional Improvement to increase the "transfer rate" of students in underrepresented classifications to four-year colleges and universities (5-6).

Examination and testing guidelines comprise a third set of legislation in this topical area. Two examples are illustrative. A California enactment requires sponsors of standardized tests required for admission by postsecondary institutions to allow test subjects to examine test questions within 90 days of the release of test results (5-22). An Illinois proposal would have required testing agencies to file copies of the administered test and corresponding answers with the Board of Higher Education (13-21).

There are other bills that would affect student rights and regulations. Three examples follow. An Ohio enactment permits the purchase of liability insurance for certain clinical and field-based college students (35-7). Proposed Connecticut legislation which did not pass would have required the expulsion of public college students convicted of theft of state property valued at more than $50 (7-15). An Illinois proposal (13-28) would have exempted full-time students from income tax.

Tuition and Fees

Forty tuition and fees bills were reported in 1981. Seventeen pieces of legislation (over 40 percent) address the waiver or reduction of tuition and fees. This continues a trend identified in previous reports in this series. Three state legislatures -- Maryland (20-10), New York (32-26), and Rhode Island (39-3) -- address tuition and fee waiver or reduction for senior citizens. The Maryland and Rhode Island bills passed. Both the Colorado (6-20) and the New Mexico (31-17) legislatures consider proposals to extend tuition reduction to members of their respective National Guard units. The New Mexico (31-15) and the New York (32-24) legislatures proposed legislation to waive or reduce tuition for active or retired members of the armed forces. Proposals addressed to other special groups were observed in Arkansas (4-13); Ohio (35-1) and (35-11); Florida (9-9) and (9-15); New York (32-13); and North Carolina (33-3) and (33-11).

A second issue in this category to which some legislative attention was given in 1981, is that of a tuition and fee reciprocity among states. Three states reported three relevant bills. For example, Georgia legislation requests the Board of Regents and Georgia members of the Board of Control for Southern Regional Education to seek an agreement between Georgia and adjacent states whereby certain Georgians may attend adjacent state institutions at reduced tuition rates (10-25). Both the Washington and Illinois Legislatures considered similar proposals which failed to be enacted.

Several miscellaneous tuition bills are worth noting. An Ohio bill (35-13) limits undergraduate instructional fees at state colleges and

universities to 55 percent of per student subsidy. SB 4090 in Washington sets tuition at 23 percent of the educational costs at community colleges for a 66 percent increase (47-9). A Florida bill would have permitted community college trustees to establish additional student fees above standard fees permitted by law. Additional funds would remain at the college and not be included in the state funding formula (9-14).

Student Aid

Twenty-seven student aid bills were reported in 1981 (22 enacted and 5 not passed). This represents a slight decline from the amount of activity in this area in 1980. As in 1980, there is only one bill that intended to establish a separate student-aid program. The Vermont Legislature considered a proposal that would have established a separate program of grants to part-time students and would have appropriated $50,000 to the State's Student Assistance Corporation to finance a one-year pilot program (45-4). Most legislative attention is given to alterations in existing state aid programs.

Several states reported legislation to extend student aid or modify existing requirements. A New York proposal which failed (32-31) would have extended the Tuition Assistance Program to part-time students. HB 416 in Georgia provides that service cancellable educational loans to National Guard members may be made to those enrolled either on full or half-time basis (10-20). An Ohio bill (35-41) allows the Student Loan Commission to extend guaranteed loans to parents of eligible children. The New York Legislature passed a comparable bill (32-11).

Some legislation alters the amount of money a student can borrow or increases the available funding. An Alaskan law limits the amounts and time of use of scholarship loans for graduate and undergraduate study (2-5); SB 1662 in Hawaii (11-2) also limits tha amount one may borrow. New York legislation increases the maximum Tuition Assistance Program awards (32-18). A similar bill was enacted in Illinois (13-1). Finally, the Tennessee Legislature authorizes that the maximum student assistance award shall not be greater than the total amount of tuition and mandatory fees charged by the postsecondary institution or the maximum permissable award under the Federal-State Student Incentive Grant Program, whichever is less (42-10).

A final group of bills extends aid to specific clientele through the tuition waivers or reductions discussed above. Two examples are illustrative. SB 483 in North Carolina waives tuition and registration fees for trainees enrolled in courses under the New and Expanded Industry Program (33-3). A Florida bill provides tuition-free education at state vocational schools, community colleges, and universities for dependents of service personnel who died in the Iranian Rescue Mission (9-9).

Area 7: Academic Programs

Sixty-one bills affecting academic programs were reported in 1981. This represents a significant increase from those reported in the previous four reports. Legislation affecting academic programs are divided into two subject categories: curriculum and certification and accreditation. Examples from each category are provided below.

Curriculum

Bills directed toward curriculum have several different foci. As in 1980, vocational, occupational, and technical curricula received the major emphasis. Several examples are illustrative. HB 2433 in Arizona allows colleges to receive funding for open entry, open exit vocational courses, and establishes a formula to compute the FTSE generated by these classes (3-6). A Florida law (9-6) requires the Industry Services Advisory Council to meet at least twice a year and advise the Director of the Vocational Education Division about industry service programs. A Connecticut bill which failed would have appropriated $147,000 to the Board of Trustees of Regional Community Colleges for the fiscal year ending June 30, 1982, for the Statewide Homemaker-Health Aid Training Program administered by Mattatuck Community College (7-12). HB 1799 in Virginia authorizes training courses for mine construction workers (46-8).

Four state legislatures considered bills dealing with adult education. A Rhode Island proposal would have authorized an office of adult education and appropriated $25,000 for the Adult Education Advisory Committee (39-4). A Virginia law defines the role and purpose of the Virginia Polytechnical and State University extension divisions and recognizes and prescribes duties and fund use of the Virginia State University Cooperative Extension Service Program (46-3).

Telecommunications and its educational implications are addressed again in 1981. A Tennessee enactment establishes the Tennessee Educational Television Network Act of 1981 to transfer licenses and operational responsibilities for state-owned educational television stations

to appropriate local community colleges (42-6). SB 79 in Florida abolishes the Educational Television Advisory Council (9-5).

Accreditation and Certification

Each of the last three reports in this series identified legislative state attention to the certification requirements of professional groups. Legislation in 1981 continues the examination and reports a trend. Bills focus on real estate brokers (46-2), medical technicians (10-13), cosmetologists (47-18), registered abstractors (27-13), nursing home administrators and employees (13-5), and dental hygienists (33-8). The Colorado Legislature addressed teacher certificate renewal (6-10) and professional competence (6-11).

A continuing trend in the area of accreditation and certification bills is the legislative authorization of proprietary schools to award degrees. Two examples are indicative of this trend. SB 387 in Colorado allows private occupational schools to award degrees (6-7). However, a Nebraska proposal which failed would have permitted a private vocational education institution to award the Associate of Applied Science degree (27-19). HB 258 in Utah authorizes Utah Technical College at Provo (a public college) to offer the Associate in Science degree on a three-year trial basis (44-1).

III

LEGISLATIVE INTENT AND THE IMPACT OF STATE LEGISLATION ON COMMUNITY COLLEGES

Community colleges operate in a public policy-making environment. Therefore, legislation designed for all postsecondary institutions and/or state governmental bodies in general affects them as well as specific legislative actions directed solely at these institutions. Beginning with the 1978 report, an attempt has been made to explore the impact of broader legislative concerns on community college-type institutions. This section considers the extent to which state legislatures treat community colleges as elements within the entire postsecondary education policy-making process and the degree to which community colleges are considered as unique educational entitites requiring particular attention.

A standard analytical procedure was established in 1978 to provide additional information about the extent to which community colleges are affected by legislation not exclusively intended for them. All legislation (excluding that providing for appropriations and capital funds) in each of the seven major area categories of this study -- finance, administration, physical facilities, institutional growth, personnel, students, and academic programs -- was classified according to four legislative intent categories: (A) legislation intended for community colleges only, (B) legislation intended for all postsecondary educational institutions where community colleges are also affected, (C) legislation intended for educational institutions but excluding community colleges, and (D) legislation intended for state bodies in

general that has no particular educational thrust but still affects community colleges. Legislation included under category C does not represent all education-related legislation in the states. Rather, the category includes legislation reported to us which does not deal with community colleges.

The aforementioned procedure was again used for examining the 1981 legislative data reported. The 1981 information is graphically in Tables 11 and 12, while comparison data for 1980 and 1981 are provided in Tables 13 and 14. There are two ways to analyze the legislative intent data. One is to examine the data using the four legislative intent categories -- A, B, C, and D -- as the primary groupings for analysis and the seven area categories as the secondary units. This is provided in Table 11 in which the percentages are calculated down the columns. A second way to analyze the data is to use the seven area categories -- finance, etc. -- as the primary focus of analysis and the four legislative intent categories as the secondary focus. This is provided in Table 12 in which the percentages are calculated across the rows.

The following analysis is divided into three sections. The first briefly reviews the 1980 findings, the second analyzes the 1981 data, and the third compares the two.

Review of the 1980 Findings

In the 1980 report, the majority of reported legislation affecting community colleges was typically a product of that intended for postsecondary education in general or state government rather than exclusively for community colleges. Over 40 percent of the reported legislation was addressed to all postsecondary education. Legislation

Table 11

INTENT OF LEGISLATIVE PROPOSALS ACCORDING TO EDUCATIONAL OR GOVERNMENTAL SEGMENT AFFECTED
(PERCENTAGES CALCULATED DOWN THE COLUMNS)

Legislative Subject	A Legislation Intended for Community Colleges Only		B Legislation Intended for Postsecondary Inst. Including Comm. Colleges		C Legislation Intended for Educational Inst. Excluding Comm. Colleges		D Legislation Intended for State Bodies in General		All Intent Categories	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Finance	19	20.8	14	6.9	1	10.0	23	17.6	57	13.1
Administration	35	38.5	50	24.6	0	---	32	24.4	117	26.9
Physical Facilities	3	3.3	1	0.5	0	---	8	6.1	12	2.8
Institutional Growth	6	6.6	0	---	0	---	1	0.8	7	1.6
Personnel	7	7.7	19	9.3	4	40.0	64	48.8	94	21.6
Students	8	8.8	78	38.5	3	30.0	2	1.5	91	20.9
Academic Programs	13	14.3	41	20.2	2	20.0	1	0.8	57	13.7
All Subjects	91	100.0	203	100.0	10	100.0	131	100.0	435	100.0

*Excludes appropriations and capital funding bills.

Table 12

INTENT OF LEGISLATIVE PROPOSALS ACCORDING TO TOPICAL AREAS AFFECTED
(PERCENTAGES CALCULATED ACROSS THE ROWS)

Legislative Subject	A Legislation Intended for Community Colleges Only		B Legislation Intended for Postsecondary Inst. Including Comm. Colleges		C Legislation Intended for Educational Inst. Excluding Comm. Colleges		D Legislation Intended for State Bodies in General		All Intent Categories	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Finance	19	33.3	14	24.6	1	1.7	23	40.4	57	100.0
Administration	35	29.9	50	42.8	0	0.0	32	27.3	117	100.0
Physical Facilities	3	25.0	1	8.3	0	0.0	8	66.7	12	100.0
Institutional Growth	6	85.7	0	0.0	0	0.0	1	14.3	7	100.0
Personnel	7	7.5	19	20.2	4	4.3	64	68.0	94	100.0
Students	8	8.8	78	85.7	3	3.3	2	2.2	91	100.0
Academic Programs	13	22.8	41	71.9	2	3.5	1	1.8	57	100.0
All Subjects	91	20.9	203	46.7	10	2.3	131	30.1	435	100.0

*Excludes appropriations and capital funding bills.

Table 13

INTENT OF LEGISLATIVE PROPOSALS ACCORDING TO EDUCATION OR GOVERNMENTAL SEGMENT AFFECTED: COMPARISON OF 1978, 1979, 1980, AND 1981 (PERCENTAGES CALCULATED DOWN THE COLUMNS)

Legislative Subject	A Legislation Intended for Community Colleges Only				B Legislation Intended for Postsecondary Inst. Including Comm. Colleges				C Legislation Intended for Educational Inst. Excluding Comm. Colleges				D Legislation Intended for State Bodies in General				All Intent Categories			
	Percent				Percent				Percent				Percent				Percent			
	1978	1979	1980	1981	1978	1979	1980	1981	1978	1979	1980	1981	1978	1979	1980	1981	1978	1979	1980	1981
Finance	21.8	24.0	19.0	20.8	8.0	7.4	10.5	6.9	0.0	100.0	7.7	10.0	30.2	28.2	7.8	17.6	18.6	20.0	12.1	13.1
Administration	31.8	30.4	37.1	38.5	25.3	30.4	30.4	24.6	0.0	0.0	11.7	0.0	16.8	17.2	23.2	24.2	25.1	25.8	29.1	26.9
Physical Facilities	3.4	5.5	6.6	3.3	2.4	1.3	1.7	0.5	0.0	0.0	0.0	0.0	12.1	13.0	4.7	6.1	5.3	6.7	3.5	2.8
Institutional Growth	3.9	5.5	10.5	6.6	1.4	1.3	1.7	0.0	0.0	0.0	11.7	0.0	0.0	0.0	0.0	0.8	1.8	2.2	3.5	1.6
Personnel	16.2	13.4	11.5	7.7	15.0	15.2	3.5	9.3	0.0	0.0	0.0	40.0	34.2	40.8	59.7	48.8	20.6	23.5	22.5	21.6
Students	12.3	10.6	11.5	8.8	30.1	33.5	36.2	38.5	0.0	0.0	35.3	30.0	2.0	0.4	2.3	1.5	16.4	14.7	19.7	20.9
Academic Programs	10.6	10.6	3.8	14.3	17.8	10.9	17.0	20.2	100.0	0.0	23.6	20.0	4.7	0.4	2.3	0.8	12.2	7.1	9.6	13.1
All Subjects	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

Table 14

INTENT OF LEGISLATIVE PROPOSALS ACCORDING TO TOPICAL AREAS AFFECTED: COMPARISON OF 1978, 1979, 1980, AND 1981 (PERCENTAGES CALCULATED ACROSS THE ROWS)

Legislative Subject	A Legislation Intended for Community Colleges Only				B Legislation Intended for Postsecondary Inst. Including Comm. Colleges				C Legislation Intended for Educational Inst. Excluding Comm. Colleges				D Legislation Intended for State Bodies in General				All Intent Categories			
	Percent				Percent				Percent				Percent				Percent			
	1978	1979	1980	1981	1978	1979	1980	1981	1978	1979	1980	1981	1978	1979	1980	1981	1978	1979	1980	1981
Finance	38.6	38.0	39.2	33.3	16.8	12.4	35.3	24.6	0.0	0.7	5.9	1.7	44.6	48.9	19.6	40.4	100.0	100.0	100.0	13.1
Administration	41.9	37.3	31.7	29.9	39.7	39.5	42.3	42.8	0.0	0.0	1.6	0.0	18.4	23.2	24.4	27.3	100.0	100.0	100.0	100.0
Physical Facilities	20.7	26.1	66.6	25.0	17.2	6.5	13.3	8.3	0.0	0.0	0.0	0.0	62.1	67.4	40.0	66.7	100.0	100.0	100.0	100.0
Institutional Growth	70.0	80.0	73.4	85.7	30.0	20.0	13.3	0.0	0.0	0.0	13.3	0.0	0.0	0.0	0.0	14.3	100.0	100.0	100.0	100.0
Personnel	25.9	18.0	12.6	7.5	28.6	21.7	6.3	20.2	0.0	0.0	0.0	4.3	45.5	60.3	81.1	68.0	100.0	100.0	100.0	100.0
Students	24.7	22.8	14.4	8.8	71.9	76.2	74.6	85.7	0.0	0.0	7.3	3.3	3.4	1.0	3.7	2.2	100.0	100.0	100.0	100.0
Academic Programs	28.8	46.9	10.0	22.8	57.6	51.0	72.5	71.9	3.0	0.0	10.0	3.5	10.6	2.1	7.5	1.8	100.0	100.0	100.0	100.0
All Subjects	33.0	31.6	24.9	20.9	39.2	33.5	40.5	46.7	0.4	0.2	4.1	2.3	27.4	34.7	30.5	30.1	100.0	100.0	100.0	100.0

intended for state government accounted for 30.5 percent of the total, while that intended for community colleges ranked third (24.9 percent).

Second, the amount of legislation devoted to the various subject areas varied by the institutional type the legislation was intended to affect. Legislation directed exclusively at community colleges was most often concerned with administrative (37.1 percent) and financial matters (19 percent). Legislation intended for postsecondary education in general, but which still affected community colleges, was primarily aimed at students (36.2 percent). Bills intended for state bodies in general, but also affecting community colleges, generally dealt with personnel (59.7) and administration (23.2 percent).

Third, each major subject area is affected differentially by legislation intended for different educational or governmental units. Therefore, finance-related legislation is distributed fairly evenly between legislators' attempt to affect community college financial procedures only (39.2 percent) and postsecondary education in general (35.3 percent). Administrative-related legislation varied slightly in that bills intended for postsecondary education in general were predominant (42.3 percent) with that intended explicitly for community colleges well-represented (31.7 percent); personnel-related legislation overwhelmingly was the result of legislative concern with all personnel in the state system (81.1 percent); and student-related bills were primarily directed toward all postsecondary education (74.6).

The authors offer two principal conclusions in the 1980 report. First, state legislation affecting community colleges is more frequently a result of that intended for postsecondary education in general than

exclusively for community colleges. Second, the degree to which state legislatures view community colleges as unique entitites or part of other educational and governmental groups varies with the issue. In the area of finance, community colleges are often treated as separate entities; community colleges are included with all postsecondary education when students or academic programs are under consideration; in personnel matters, community colleges are treated basically as state bodies.

Review of the 1981 Findings

The 1981 data were categorized and analyzed in the same manner as the 1979 and 1980 legislation. The initial analysis uses the legislative intent categories as the primary groupings for analysis and the seven area categories as the secondary units. Table 11 displays the results.

Several findings emerge from the data provided in Table 11. Column A consists of legislation that affects only community colleges. Legislation directed exclusively at community colleges most often is concerned with administrative issues (38.5 percent). Column B provides legislation intended for postsecondary education in general, but which still affects community colleges. This type of legislation is aimed primarily at students (38.5 percent) with administration (24.6 percent) and academic program issues (20.2 percent) following closely. Column C identifies legislation that has no impact on community colleges but does affect other educational institutions. Nominal legislation is reported in 1981. Column D focuses on legislation intended for state bodies in general, but that also affects community colleges. This type of legislation primarily affects community colleges regarding personnel mat-

ters (48.8 percent) with administration a distant second (23.2 percent).

In conclusion, the aforementioned analysis reveals three major points: (1) legislation explicitly directed toward community colleges generally occurs in the areas of administration and finance; (2) these colleges are affected by legislation intended for all postsecondary education especially when students, administration, and academic programs are the primary concerns; and (3) they are seriously affected by legislation intended for state government in general when personnel and administration are the foci.

A second approach to the legislative intent issue is to use the seven area categories as the principal analytical focus and the legislative intent categories as the second. Table 12 displays these data. Bills in the Physical Facilities and Institutional Growth areas are excluded because of their limited number.

The most significant finding deriving from Table 12 is that legislation intended for all postsecondary institutions, including community colleges, is the dominant category (46.7 percent). It is followed by legislation intended for state bodies in general (30.1 percent) with legislation exclusively considered for community colleges third (20.0 percent). Thus, slightly over 76 percent of the legislation affecting community colleges is not drafted with them as the major focus.

Table 12 provides the basis for other findings. Finance-related legislation that affects the community college is a reflection of three perspectives of intent. Somewhat surprising is the legislators'

attempts to affect state government primarily (40.4 percent). In contrast, their attempt to affect community colleges only pertains in 33.6 percent of the legislative actions examined.

The distribution of administrative-related legislation varies significantly from finance legislation. Here, legislation intended for postsecondary education in general is predominant (42.8 percent) with administrative-related legislation explicitly intended for community colleges second (29.9 percent). Yet, legislation directed toward state government that affects community college administrative matters is also well-represented (27.3 percent).

Personnel-related legislation differs significantly from the aforementioned patterns. The major percentage of bills affecting community college personnel is a result of legislative concern with all personnel employed by state government (68 percent); legislation is far less a result of legislatures' concern with postsecondary education in general (20.2 percent) or community colleges only (7.5 percent).

Students and Academic Programs are the final two area categories analyzed. The data here reveal that community college students are overwhelmingly affected by legislation intended for all postsecondary education students (85.7 percent) and that Academic Programs also are primarily affected by legislation intended for all postsecondary education (71.9 percent).

In summary, two general observations emerge from the 1981 data reviewed above. First, is that in terms of numbers of legislative items community colleges are typically more affected by legislation directed to postsecondary education in general or to state government than by

that which is exclusively to apply only to community colleges. Legislation addressed to all postsecondary education represents almost one-half of the reported legislation (46.7 percent). Second, state legislative perception of community colleges as separate institutions or part of other educational and govenmental groups differs according to the issue. Thus, in the realm of finance, community colleges are more often treated as elements of state government (40.4 percent) than as separate entitites (33.3 percent); when the issue is personnel, community collges are basically treated as if encompassed among all state bodies.

Comparison of the 1978-1981 Findings

The study of legislative intent has now been addressed for four consecutive years. This provides the basis for a comparison to determine where patterns and changes emerge (see Tables 13 and 14). A number of observations are salient. First, legislation intended for community colleges only has continued to be predominant in the administration area (31.8 percent, 30.4 percent, 37.1 percent, and 38.5 percent). Second, legislation intended for postsecondary education in general -- reviewed in Column B -- indicates that since 1978, the most frequently addressed area is students (30.1 percent, 33.5 percent, 36.2 percent, 30.4 percent, and 24.6 percent). Third, Column D -- legislation intended for state government in general -- reflects continued attention to personnel issues. For the second consecutive year, administrative-related legislation ranked second.

The data reported in Table 14 reflect a slight shift in the pattern of legislation reported in 1981 as compared to that reported in 1980. For example, in 1980, financial legislation intended solely for

community colleges is the most numerous. However, in 1981, the largest portion of finance legislation (40.4) is directed toward state government in general. This reflects a return to the 1978-1979 pattern. Also, there is a slight shift in the distribution of legislation related to administration. In 1981, there is a decline in the amount of this legislation directed only to community colleges while there is a comparable increase in the amount of administrative-related legislation. There is a decline in the amount of student-related legislation intended for community colleges only, and an increase in the amount of legislation intended for all postsecondary education.

A comparison of the data from 1978-1981 indicates a slight shift in the distribution of legislation among legislative intent categories (see final row of Table 14). In 1981, as in 1978 and 1980, but unlike in 1979, legislation intended for postsecondary education is predominant. Second, there has been a continual decline from 1978-1981 in the percentage of legislation intended for community colleges only (33 percent, 31.6 percent, 24.9 percent, and 20.9 percent respectively). Third, since 1979, there has been a marked increase in the amount of legislation devoted to postsecondary education in general (33.5 percent, 40.5 percent, and 46.7 percent). Finally, the percent of legislation intended for state bodies in general declined slightly from 1979 and 1980 (30.1 percent compared to 30.5 percent and 34.7 percent in the two previous years).

There appear to be two major trends in this particular aspect of examination of the legislation identified from 1978-1981. The first is that there are certain substantive issues which emerge from year to year. Finance and administration issues surface from legislative

concerns about any one of three scopes of coverage: community colleges, postsecondary education, and state government issues at large; personnel issues are treated as a state problem; and student issues emerge largely from a general postsecondary education perspective. Second, there is a trend to encompass community colleges as part of all postsecondary education and, to a lesser extent, as a part of general state operations. In the 1980 report the authors identify this as "emerging"; in 1981, this seems better established.

Conclusion

This section in this report on the past four years has emphasized the political and postsecondary education environment within which community colleges function. Our review of the intent of legislative proposals illustrates this notion of scope of inclusion of community colleges in a larger policy-framing environment. Those providing leadership to the two-year college must be aware of the wide-ranging sources of concerns that lead legislators to take action which has a final affect on the institutions. They are well advised to keep aware of the legislators' view of the two-year institution as not only as a separate constituency, clientele or sphere of responsibility, but also as component elements operating within postsecondary education more broadly defined and state government in total.

IV

CONCLUSIONS AND RELATED COMMENTS

Following the line of inquiry for previous reports in this series, the 1981 survey of state legislation affecting community, junior, and two-year technical colleges attempts to provide the reader with a description and analysis of issues receiving legislative attention throughout the United States and Puerto Rico. Resources evidenced by the legislatures in 1981 require that particular attention is given here to financial, administrative, student, and curricular issues. The overriding intent is to describe state-level policy formation and its impact on community college education in general. Legislation considered ranges from bills directed exclusively to the two-year colleges to those that affect all sections of postsecondary education or state government. The identification and interpretive analysis of legislative activity provided here seeks to offer interstate, regional, and national perspectives. Others can view developments in their own states.

While this study identifies and abstracts relevant legislation to provide an information service to persons in the field, its broader goals are to consider patterns, emerging issues, and policy-making and legal questions that indicate the overall direction and impact of state legislation on community colleges throughout the nation. In order to identify on-going trends, 1981 state legislative highlights must be related to those which emerged in earlier annual surveys and reports. Attention to 1981 legislation as part of an evolving policy fabric increases understanding of the community, junior, and two-year technical college.

Several general conclusions emerge from the legislation reviewed in this 1981 report. First, the amount of state legislation is comparable to that reported last year. In both 1980 and 1981 the average number of legislative topics in states holding session was slightly over eleven. These data reflect a slight decline from the amount of legislation considered from 1973-1978. A possible conclusion from this voiced as a question is: are legislators beginning to view the community college as a fairly stable institution requiring less legislative attention each year than in previous years?

A second conclusion is that while state legislators continue to focus primarily on financial matters substantive evidence of growing concern in other aspects of operation were appearing. While most bills dealt with operating and capital expenses, significant numbers of other bills deal with financial procedures. The 1981-82 appropriations data reveal an 11 percent increase. In general, state control over financial matters increased slightly in 1981. The general tenor is to mandate institutional compliance with state-level guidelines.

Third, there is a continued legislative interest in the governance and policy formation of postsecondary education. This is evident in attention to changes in administrative structure in proposed legislation in Arkansas to dismember the existing University system, and in Arizona to create a commission for vocational and technical education. Measures to extend state-level authority were also reported in several states. A Minnesota bill extends to the State Board for Vocational Education authority over individual plans for awarding associate degrees at area vocational-technical institutes. A Washington bill which failed would

have imposed an enrollment ceiling on community colleges. Administrative procedures and operation also received attention.

Fourth, community colleges continue to be affected by legislation directed to postsecondary education in general and state government. In the realms of administration, students and academic programs, they tend to be addressed as elements of postsecondary education. In finance and personnel matters community colleges are affected as government bodies. The community college leadership must be aware of the extent to which it is affected by legislation addressed to state government and postsecondary education in general.

A fifth conclusion we reach is there is legislative support for enacted or considered legislation to promote cooperation among postsecondary institutions. For example, proposed Florida legislation would have required the Board of Regents to encourage formation and administration of regional consortia. Legislative support for cooperative activity reflects the public call for effective and maximum use of academic resources during a period of economic uncertainty. It also illustrates legislative awareness of the concept of regionalism discussed by Martorana and Nespoli (1978) and "cooperatives" considered in part V of this monograph.

Our sixth conclusion is there is continued legislative interest in broadening the definition of postsecondary education. Federal attention to this is evident in the Education Amendments of 1972, and several state legislatures reveal a similar interest in 1981. For instance, several state legislatures considered the role of proprietary schools in the provision of educational services and opportunities. The Connecticut Legislature authorized Katherine Gibbs School to award the

Associate of Applied Science and other degrees or certificates as approved by the Board of Higher Education. A Maryland bill gives to the State Board for Higher Education the responsibility to create and provide for the operation of a guaranty fund for postsecondary, non-degree granting proprietary institutions.

Seventh, the legislatures are increasingly addressing academic matters that have been viewed traditionally as the province of faculty. Legislative attention to curricular and other academic affairs typically is directed toward vocational and continuing education. The latter emphasis reflects a continued trend identified in this series. Legislators seem to be intensely aware of the need to monitor the quality of professional activity and view continuing education as a means to this end. Therefore, the Georgia Legislature mandated continuing education for medical and cardiac technicians. A North Carolina bill redefines the practice of nursing and specifies nine components for the practice of registered and licensed practical nursing.

An eighth conclusion is legislatures continue to analyze and modify student aid provisions. A review of the 1981 legislation reveals attention to the needs of students enrolled on a part-time basis. The Vermont and New York Legislatures considered proposed legislation which would have extended financial aid to part-time students. Loans to parents of eligible students were mandated by the Ohio and New York Legislatures. Given the problematic nature of federal financial and provisions at this time, student-aid legislation is encouraging. Legislators appear to view aid within the context of changing enrollment patterns and limited financial resources.

There is no question legislators have sharpened their focus on student-related issues and the clienteles served by the community college. The increase in student-oriented legislation may reflect legislative awareness of the student consumers as discussed by David Riesman (1980) and other analysts. Employment trends and economic market needs tend to influence education policy making. Legislative decisions reflecting this affect institutional resource allocation among curricula and budgetary matters. The second trend signals legislative sensitivity to interest group needs and demands. It leads us to our final conclusion.

There is continuation of a legislative trend identified in the 1980 report in this series (Martorana and Broomall, 1981a) and discussed by the authors elsewhere (Martorana and Broomall, 1981b). That is, there is significant legislative attention given to the educational needs of particular interest groups. These bills usually promote a tuition waiver, reduction, or reimbursement to allow a group to finance its education. Nine states reported such legislation in 1981. For example, the Connecticut and Massachusetts Legislature passed bills to provide tuition waivers for National Guard members. North Carolina Legislation waives tuition and registration fees for trainees enrolled in courses offered under the New and Expanding Industry Program. Other groups to benefit from such bills include veterans, senior citizens, those who have volunteered in a social service capacity, and dependents of servicemen who died in the Iranian rescue mission. Ths legislative approach to financial subvention of particular clientele groups appear to be a means to meet the community college's lifelong learning mission.

It illustrates a state-level response to the federal cutbacks in student financial aid and programs.

The conclusions presented here present a composite view of legislative activity in 1981 affecting the two-year college as a unique entity, element of postsecondary education, and state government body. While the principal legislative foci are financial and administrative matters, student, personnel, and academic issues are also affected. With continued assistance from the National Council of State Directors, the on-going survey of state legislation will monitor future developments which influence the goals of the community college and the means to them. This report provides a national vantage point from which to view legislative developments affecting particular institutions in given states. It shows that community, junior, and two-year technical colleges as well as postsecondary education in general are of constant interest to public policy-makers and therefore will continue to be affected by legislative actions. That this is so is not to be viewed as a condition negative to the cause of community college educators; rather it should be seen as a call for them to understand better the nature of the interests legislators attach to these institutions and, moreover, a call to help the legislators understand more validly and completely what these institutions are all about. There is much discussion in the field today about the "changing mission" of community, junior, and two-year technical colleges. However, that mission is being shaped. As these institutions continue to find their place in public service, there is no group more important to have understand and accept the process and the result than the law makers in each state and territory of the nation.

V

FRAMEWORKS FOR ESTABLISHING COOPERATIVES TO PROVIDE LIFELONG LEARNING AT SUBSTATE LEVELS: THE STATE DIRECTOR PERSPECTIVE

Many postsecondary educators tend to agree with educational researcher and Harvard University professor, K. Patricia Cross' assessment that the 1980s may well be the "decade of the adult learner." This assertion is documented by the National Center for Educational Statistics data which indicate that by 1984, adults will account for approximately 44 percent of all postsecondary students. The Carnegie Commission estimates that by the first decade of the twenty-first century the percentage will rise to 55 percent of the total enrollment (Carnegie Commission, 1980). Concurrently, nonschool organizations have joined schools, colleges, and universities in the provision of educational programs and services to the adult learner. Yet, this increased attention is tempered somewhat by the flux surrounding lifelong learning's public policy context. This topic with attention to coordination and the policy-making process affecting institutions has been examined by the report's senior author and others (Martorana and Smutz, 1980; Martorana and Broomall, 1981; Gilder (ed.), 1979).

Given the timeliness of lifelong learning, and the authors' recurrent interest in its organization and policy, we cooperated this year in a survey of members of the National Council of State Directors of Community and Junior Colleges. The survey examined framworks for establishing cooperatives to provide lifelong learning at substate levels.

The survey has two principal objectives: (1) to offer a nonnormative description of activity in the development of such cooperatives and public policy context within which it occurs; and (2) to obtain a normative appraisal of the strengths and weaknesses of the idea and practice of cooperatives. This information is intended to assist members of the Lifelong Learning Project in their future planning as well as providing the education community policy leaders and others with benchmark data on what is taking place in the realm of lifelong learning cooperation.

An initial request was sent on August 19, 1981; follow-up letters were sent on September 24 and October 9, respectively (See Appendices C, D, and E). We received fully or partly completed questionnaires from 43 states and Puerto Rico. This represents a response rate of slightly over 86.2 percent. There was no systematic regional variation in the response rate. Table 15 identifies each of the jurisdictions which have responded.

Although 44 jurisdictions responded to our inquiry, some questions were not answered by all respondents. Tables 16 - 24 provide the number and appropriated percentage of respondents to each of the specific questions. The variation in response to each particular question illustrates the wideranging degree to which there are lifelong learning cooperatives. Those states in which there is little or nominal activity obviously are not included among the respondents to certain questions. For example, the response rates for questions 3 and 4 that ask for specific information regarding cooperatives are relatively low. The number of responses (20) to question 4 may represent an inability for

Table 15

STATES RESPONDING TO INQUIRY CONCERNING
LIFELONG LEARNING COOPERATIVES

ID#	State	Response
1	Alabama	X
2	Alaska	X
3	Arizona	X
4	Arkansas	X
5	California	X
6	Colorado	
7	Connecticut	X
8	Delaware	X
9	Florida	X
10	Georgia	
11	Hawaii	X
12	Idaho	X
13	Illinois	X
14	Indiana	X
15	Iowa	X
16	Kansas	X
17	Kentucky	X
18	Louisiana	X
19	Maine	
20	Maryland	
21	Massachusetts	X
22	Michigan	X
23	Minnesota	X
24	Mississippi	X
25	Missouri	X
26	Montana	X
27	Nebraska	X
28	Nevada	
29	New Hampshire	X
30	New Jersey	X
31	New Mexico	X
32	New York	X
33	North Carolina	X
34	North Dakota	
35	Ohio	X
36	Oklahoma	X
37	Oregon	X
38	Pennsylvania	X
39	Rhode Island	X
40	South Carolina	X
41	South Dakota	X
42	Tennessee	
43	Texas	X
44	Utah	X
45	Vermont	X
46	Virginia	X
47	Washington	X
48	West Virginia	X
49	Wisconsin	X
50	Wyoming	X
51	Puerto Rico	X
	TOTALS	45

Table 16

PERCEPTIONS OF THE EMERGENCE OF COOPERATIVES FOR SUBSTATE REGIONAL AND LOCAL COORDINATION OF LIFELONG LEARNING SERVICES N = 44

Response	N	Percent
A high degree of it is evident	5	11.4
Some of this is occurring	17	38.6
There has been discussion and planning but no actual arrangement	7	15.9
It is not occurring and there are currently no serious discussions concerning their establishment	15	34.1

Table 17

PERCEPTIONS OF THE POLICY FRAMEWORK FOR SUBSTATE COORDINATION OF LIFELONG LEARNING SERVICES N = 34

Response	N	Percent
Constitutional	---	2.9
Statutory	1	2.9
Administrative	21	61.8
All	1	2.9
Other	1	32.4

Table 18

PERCEPTIONS OF THE DEGREE TO WHICH SUBSTATE COORDINATION OF LIFELONG LEARNING SERVICES IS A GOOD IDEA IN GENERAL N = 44

Response	N	Percent
High	19	43.2
Moderate	17	38.6
Low	8	18.2
Not Useful	---	---

Table 19

PERCEPTIONS OF THE OVERALL EFFECTIVENESS OF COOPERATIVES EFFECTIVENESS IN SHARING INSTITUTIONAL RESOURCES N = 28

Response	N	Percent
Very effective	7	25.0
Somewhat effective	16	57.1
Not very effective	2	7.1
Other	3	10.8

Table 20

PERCEPTIONS OF COOPERATIVE PARTICIPANTS ADEQUATE REPRESENTATION IN DESIGN, POLICY DIRECTION, AND IMPLEMENTATION N = 28

Function	Yes		No		N/A	
	N	Percent	N	Percent	N	Percent
Design of organizational structure	22	78.6	4	14.3	2	7.1
Policy formulation and direction	23	82.1	5	17.9	---	---
Service delivery	22	78.6	6	21.4	---	---

Table 21

PERCEPTION OF CATALYTIC LEADERSHIP FORCE
IN ONGOING COOPERATIVES N = 20

Predominant Leadership in Cooperative Exercised by	Cooperative Number										Total	
	#1	#2	#3	#4	#5	#6	#7	#8	#9	#10	N	%
Local School District	2	4						1			8	40
Two-year College	10	2	1								13	65
Four-year College	3	1	1		3	3					11	55
State Education Agency	7		1		1		1	1	1	2	13	65
Agricultural/Cooperative Extension	1	1			1						3	15
Business Industry	4	1									5	25
Local Citizen Group	2										2	10
Community Education Program	2		1	3							6	30
City or County Government Unit	1		1		1		1				4	20
No Single "Leader	6	1									7	35
Other (Describe)		1	2							1	4	20

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Table 22

PERCEPTIONS OF THE ROLES CENTRALIZED STATE EDUCATION AGENCIES SHOULD PLAY IN SUBSTATE PLANNING AND COORDINATION FOR LIFELONG LEARNING N = 44

Function	N	Percent
Helping to get more cooperatives organized	30	68.2
Providing minimal operating funds to defray "start up" costs	19	43.2
Supporting professional development for those working with cooperatives	18	40.9
Insuring that all geographic areas are encompassed by cooperatives	16	36.4
Conducting statewide needs assessments	13	29.5
Collecting evaluative data, including participation rates	18	40.9
Helping to publicize cooperatives	25	56.8
Formulating cooperative policies	20	45.5
Other	5	11.4

Table 23

PERCEPTIONS OF THE FEASIBILITY OF PUBLIC-PRIVATE CONTRACTS TO DELIVER EDUCATIONAL SERVICES N = 40

Response	N	Percent
Highly feasible	6	15
Somewhat feasible	32	75
Not feasible	4	10

Table 24

PERCEPTIONS OF THE FEASIBILITY OF VOLUNTARY COOPERATION IN SELECTED ACTIVITIES

Function	High		Somewhat		Low		None	
	N	%	N	%	N	%	N	%
Helping to get more cooperatives organized	8	22.9	16	45.7	9	25.7	2	5.7
Providing "start up" costs	2	5.7	7	20.0	20	57.1	6	17.2
Supporting professional development	9	25.7	12	34.2	8	22.2	6	17.2
Insuring that all geographic areas of the state encompassed	11	31.4	7	20.0	7	20.0	10	28.6
Conducting statewide needs assessments	10	28.6	10	28.6	6	17.1	9	25.7
Collecting evaluative data, including participation rates	8	22.8	16	45.7	8	22.8	3	8.7
Helping to publicize cooperation	12	34.2	14	40.0	8	22.2	1	2.9
Formulating cooperative policies	8	22.8	14	40.0	7	20.0	6	17.1

respondents to identify any one catalytic leader in the formation of cooperatives.

There was significant variation in the degree to which respondents perceived evidence of the emergence of cooperatives for substate, regional, and local coordination of lifelong learning in their respective states as reported in Table 16. While 38.6 percent of the respondents felt some of this was occurring, a comparable number, 34.1 percent, felt that the development of cooperatives was occurring but there was no serious discussion of their establishment. Respondents in only five states, 11.4 percent, felt there was a high degree of activity in this area. There was general consensus that substate coordination of lifelong learning services occurred within an administrative policy framework.

While data presented in Table 16 and 17 seek to provide a measure of the degree and form of substate cooperatives for lifelong learning, data presented in Tables 18-24 attempt to ascertain respondents' perception of the strengths and weaknesses of cooperatives. Respondents generally acknowledged that cooperatives were a good idea in general. Over 20 respondents provided us with exhibits describing particular cooperative educational endeavors.

Responses provided in Table 18 were supported by wide-ranging arguments. The following were cited among the arguments in support of cooperatives:

1. to utilize human, physical, and financial resources effectively to provide educational services to meet learner needs;

2. to overcome geographic isolation;
3. to improve public legislative awareness of lifelong learning;
4. to prevent program duplication; and
5. to balance the goals of increased enrollment and the maintenance of academic standards.

Those who felt cooperatives should not be developed asserted:

1. since the state is small, state-level programming is effective;
2. administrative mechanisms already exist; and
3. state-level mandates are more likely to receive a response because of their perceived programmatic or policy legitimacy at the intistutional level.

As Table 19 indicates respondents have overwhelmingly agreed that those cooperatives which do exist are somewhat or very effective. There is also significant consensus as presented in Table 20 that participating institutional members in functioning cooperatives have adequate representation and influence in the design of organizational structure, policy formulation, and service delivery. These data may suggest tentatively that once questions of institutional jurisdiction are resolved and the usual organizational worries overcome, the policy development mechanisms of cooperatives are accepted by their membership. The personal, political, and social forces that promote this cooperation can be expected to vary in each case, but the limited scope and depth of this survey precludes further observations here. It should be noted, however, that given the clear indications of a growing

acceptance of cooperatives and an increase in their number, more inquiry into their structures and processes for setting policy is needed. The authors intend to pursue this topic in future professional activity.

Table 21 which asked respondents to identify one catalyst or leader in the development of substate cooperatives reveals an interesting array of responses. In those instances in which a respondent cited a single cooperative in his or her state the two-year college was most frequently cited with the state education agency second. However, as respondents cited two or more cooperatives the catalytic leadership emerged from more diverse sources. The factors causing the multiplication of cooperatives to parallel diversified leadership are worth considering at a future time. Overall, the two-year college and the state education agency emerged as the leading catalysts in the formation of cooperatives with the four-year college following closely. It therefore appears formal institutional structures presently are providing direction in the formation of cooperatives.

Respondents have cited several roles (as identified in Table 22) for centralized state education and individual providers of lifelong learning in the formation and maintenance of cooperatives. Policymakers in the two-year institution seem to be familiar with the educational needs of the adult learner as discussed in the professional literature (Cross, 1981). They have also developed and/or are in the process of developing organizational means to meet these needs.

As presented in Table 23 respondents felt it was only somewhat feasible to utilize private educational resources. The most feasible roles (provided in Table 24) were identified as:

1. insuring geographic representation in the cooperatives;
2. conducting statewide needs assessments;
3. supporting professional development for those involved in the cooperatives;
4. helping to organize more cooperatives; and
5. collecting evaluative data.

Providing operating funds to help initiate courses generally was not considered feasible.

Discussion

A major question confronting policy makers and others providing leadership to lifelong learning is whether the future environment in which this enterprise will function will be characterized by competition or cooperation among institutions and organizations engaged in it. There is some concern that interinstitutional and intrainstitutional conflict will dominate. In a scenario of competition multiple education institutions and those whose major funtions is not education often deliver a potpourri of services with little or no evident awareness of one another. As a consequence, there can be considerable and wasteful duplication of services rendered. In an alternative scenario stressing cooperation, educational activities are provided in concert through cooperative administration and programming.

This survey of State Directors indicates that the current state of affairs is somewhere between the two scenarios presented above. In general, State Directors perceive substate cooperatives favorably. At the same time, they contend such an approach is only fairly feasible as a means to facilitate interinstitutional resource sharing. However,

they view the degree of activity in this realm as uneven. While 38.6 percent of the respondents perceived some cooperative endeavors occurring, a comparable number (34.1 percent) felt that not only was it not occurring but there was no serious discussion concerning their establishment. The remaining approximate 27 percent represent, therefore, a special group to watch because as their jurisdictions go, more will determine the ebb and flow to come.

When cooperatives for coordination at sub-state (regional or local) levels occur they typically operate within a generally accepted administrative policy framework set at the local rather than state level. In their review of public school two-year college coordination affecting lifelong learning the authors (1981) arrived at a similar generalization. Since cooperatives function within an administrative rather than statutory context, their organizational authority may not be perceived by participants as legitimate. This, in turn, may explain the gap in perceptions reported with a favorable view of cooperatives as an idea, on the one hand, and a lower level of implementation, seen on the other. While policymakers may be favorably disposed to cooperation as an ideal, they see limitations on the ability of the organization to ensure compliance among institutional members, Yet, State Directors overwhelmingly contend that cooperative participants are adequately represented in the design of organizational structure, policy formulation and direction, and the delivery of services. Again, more insights are needed based on more penetrating analyses.

The forms which on-going cooperatives take vary widely. Tables 25, and 26 illustrate the variety of cooperatives drawn from documentary

Table 25

TYPES OF INVOLVEMENT AND INSTITUTION INVOLVED, AND AUTHORITY STRUCTURE IN COOPERATION

Type of Cooperative and States	Institutional Involvement		Institutional Type									Authority Structure	
			All Ed. of Single Type			All Ed. of Different Type			Ed. & Other Organization				
	Multiple (Number)*	Only Two	Public	Private	Both	Public	Private	Both	Public	Private	Both	Admin.	Statutory
Regional#													
Rhode Island[a]	5		X						X			X	
New Hampshire	9+							X			X	X	
North Carolina		X	X										
Utah[b]	4					X						X	
Iowa[c]	X		X									X	
New Jersey[d]	X		X									X	
Alaska[e]									X			X	
Florida		X							X			X	
Louisiana	3					X						X	
California												X	
Wyoming	3					X							
Oregon	3					X						X	
Wisconsin	4										X	X	
Minnesota	2+							X				X	X
Local##													
South Dakota	5							X				X	
Montana		X	X									X	
South Carolina	5+							X				X	

*If provided.
#Cooperative cuts across conventional educational and/or political jurisdictions.
##Cooperative is within a conventional educational and/or political jurisdiction.
[a]Contractual tuition rate.
[b]Have developed working paper for multi-institutional consortia at local and regional levels.
[c]Coordinating councils for postsecondary and continuing education.
[d]Cooperative community college telecommunications programming.
[e]University of Alaska Board of Regents, Alaska Board of Education, Alaska Commission on Postsecondary Education have designed planning guidelines.

Table 26

REASONS FOR PARTICIPATION, ACTIVITIES AND PROGRAMS OF COOPERATIVES

Type of Cooperative and States	Participation Reasons				Activities				
	Resource Utilization	Improve Awareness	Overcome Isolation	Other	Credit	Non Credit	Degree	Support Services	Telecomm.
Regional#									
Rhode Island	X	X			X	X	X	X	
New Hampshire	X	X	X	Meet training needs	X	X	X	X	
North Carolina	X								
Utah	X	X		Cost & Facility Sharing				X	X
Iowa									
New Jersey	X								X
Alaska					X	X		X	X
Florida[a]	X				X	X		X	
Louisiana[b]					X	X	X	X	
California[c]	X								
Wyoming			X						
Oregon	X	X	X		X	X			X
Wisconsin[d]	X	X	X		X	X		X	
Minnesota[e]									
Local##									
South Dakota[f]	X	X			X				
Montana[g]					X		X		
South Carolina[h]					X	X			

#Cooperative cuts across conventional educational and/or political jurisdictions.
##Cooperative is within a conventional educational and/or political jurisdiction.
[a]Regional Coordinating Consule for vocational, general, adult, and community instructional services currently include only public schools and community colleges.
[b]Operating regional councils do not address lifelong learning specifically.
[c]Direct local and state funding decreases the likelihood of cooperative activity.
[d]Community Education coordinated through memo of understanding among VW, VTAE, and DP.
[e]Statutory supporting form of fiscal subvention of community education..
[f]Limited to Graduate Education at Sioux Fall.
[g]Joint MPA program at Helena.
[h]Charleston, S.C. Consortium.

material provided by State Directors. The majority of cooperatives involve multiple institutions cooperating on a regional basis. However, there is significant variation in organization participants. Cooperatives range from those comprised of all educational institutions of a single type to those involving educational institutions of different types. Cooperatives in five states had participants from non-educational as well as educational organizations.

As far as this survey disclosed, no single center of initiative can clearly claim sole role of leadership in cooperatives for lifelong learners. Two-year college, the four-year college, and the state education agency appear to be leading institutional catalysts in the formation of cooperatives. Of some significance one may be note that in states in which only one cooperative was reported, the two-year college emerged as the predominant leader. When several cooperatives are identified, however, other centers of initiative are operative. Although the educational establishment is evidently well-represented in most cooperatives, important groups appear to be under-represented. For example, only nominal involvement from agricultural/cooperative extension, business and industry, and local citizen groups was reported. Therefore, cooperation across as contrasted to within particular institutional levels or type of organization is limited.

State directors generally assign to centralized state agencies support service roles in the planning and coordination of lifelong learning. Major roles are perceived to be providing assistance in the organization of cooperatives and publicizing their activity. There was also some support for a state-level role in formulating cooperative

administrative policies. State Directors cited public-private contracts to deliver educational services as only somewhat feasible.

Conclusion

As this survey reveals there is increasing interinstitutional cooperation in the planning and delivery of lifelong learning services and opportunities at substate levels. There is some difference, however, between acceptance of the idea and its actual implementation. This introduces two major questions for education policymakers and other leaders. The first is what set of forces, institutional or governmental, within the educational enterprise or outside of it inhibit or expedite the formation of cooperatives? The second is once a cooperative is formed how is it to be maintained at a working-level?

While these questions are asked here with respect to cooperatives established with primary concern for the adult learner, the primary author here and others pose the same questions for the efforts emerging to generate more broadly defined collective approaches to postsecondary education.The question of legitimacy, that is, being accepted as having the right to operate and to decide on policies which are to guide operations, is the critical one which surfaces whenever discussions about new developments related to the concept of cooperatives for serving the adult learner occur -- communiversity, as seen by Gould (1969) and Martorana and Kuhns (1975), regionalism, as seen by Martorana and Nespoli (1978), and consortia as seen by Paterson, L. (1973) and Paterson, F. (1974).

As the legislation discussed in this monograph indicates, postsecondary institutions face increasing external demands for economical

and efficient use of resources. Given the nation's aging population and increased adult participation in education, the need for coordination among the multiple providers becomes especially urgent. If the "learning society's" goal of equal access to education is to be realized, it is imperative that institutional cooperation be promoted. Determining the best organizational means to this end provides a challenge not only to those committed to lifelong learning, but to all educational leaders as well as the lawmakers whose ultimate responsibility for service and responsibility to the public must not be forgotten.

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APPENDIX A

ABSTRACTS OF STATE LEGISLATION
RELATING TO POSTSECONDARY EDUCATION

1981 State Legislation Sessions

Arrangement

The items of legislation listed here include both those enacted and those proposed which were not enacted. Within each group the order of items is numerical. Chapter or act numbers are by Senate Bill and House Bill numbers, depending on the information provided by the respondents.

ALABAMA (1)

Legislation Enacted

1-1 Appropriation (HB 77) Appropriates $81,896,798 for the operating expenses of junior colleges, postsecondary vocational-technical schools, Trenholm State Technical School, and the Fire College, Shelton State.

ALASKA (2)

Legislation Enacted

2-1 Compact Participation (HB 110) Limits state participation in the Western Regional Higher Education Compact to provision of adequate services and facilities in the fields of law, dentistry, dental hygiene, medicine, osteopathy, veterinary medicine, public health, pharmacy, physical therapy, occupational therapy, optometry, podiatry, forestry, architecture, graduate nursing, petroleum engineering, marine technology, study of chiropractic, and graduate library studies.

2-2 Fishery Technology (HB 262) Establishes a fishery industrial technology center as part of the University of Alaska.

2-3 Appropriation (HB 263) Appropriates $200,000 for the University of Alaska Fishery Industrial Technology Center.

2-4 Sex Discrimination (SB 99) Prohibits sex discrimination in public education.

2-5 Scholorship Loans (SB 120) Limits the amounts and time of use of scholarship loans for graduate and undergraduate study.

2-6 Appropriation Appropriates $33,172,359 for the operating expenses of community colleges, rural education, and extension.

ARIZONA (3)

Legislation Enacted

3-1 District Information (SB 1318) Requires each district to submit information to the State Board on each college or campus within the district.

3-2 Property Leasing (SB 1186) Allows the local district governing boards to lease real property, as lessor or lessee, if the State Board authorizes such. In addition, local district governing boards may enter into contracts (even with private schools for the purpose of educating students) subject to limitations prescribed by the State Board.

3-3 Construction Contracts (HB 2376) Limits the use of proprietary specifications in public building construction contracts.

3-4 Insurance (SB 1379) Increases the state contribution for state employees' health and accident insurance coverage as follows:

1. From $43/month to $52/month for individual coverage.
2. From $86.50/month to $104/month for family coverage for married couples, both of whom are state employees.
3. From $80/month to $98/month for family coverage.

3-5 Board Membership (SB 1311) Prescribes that employees and spouses are not eligible to serve on the community college district governing board in the district in which the employee is employed.

3-6 Open Exit Vocational Courses (HB 2433) Allows the colleges to receive funding for open entry, open exit vocational courses, and sets out a formula for the purpose of computing the FTSE generated by these classes. The State Board is required to adopt rules and regulations regarding open entry, open exit classes. Open entry, open exit classes are defined as "those vocational and technical education classes which commence at various times throughout the fiscal year".

3-7 Vocational Course Funding (HB 2434) Prescribes that for the 1980-81 and 1981-82 fiscal years community colleges shall receive the .04 funding for vocational and technical courses the same as they have since 1972; dollars appropriated for 1980-81 in the general appropriations bill on a line item basis can now be used by the colleges and will not revert to the general fund until 1982.

3-8 Appropriation (SB 1187) Increases the state aid per FTSE for maintenance and operation by seven percent per year. However,

an appropriation was not included in the bill, thus the colleges will be limited to the total dollars appropriated in the General Appropriation Bill for 1981-82.

3-9 Property Tax Levies (HB 2076) Alters the method of computing the primary property tax levies of community college districts for the purpose of determining the levy limits for tax years after 1980; it affects only the Graham and Pinal County Community College Districts.

3-10 Appropriations (SB 1006) Appropriates $38,669,500 to community college districts; included in this is a first-time appropriation of $813,100 for three skill centers.

3-11 Expenditure Reporting (SB 1322) Provides for a uniform expenditure reporting system for several entities, including community college districts, subject to constitutional expenditure limitations; it also prescribes the computation of the maximum primary property tax levies for community colleges, districts, and others for the tax year 1981.

3-12 Private Enterprise Review Commission (HB 2148) Establishes a Private Enterprise Review Commission, and mandates that the State Board adopt levies and regulations to execute provisions of the law.

3-13 Hiring Moratorium (SB 1002) Would have put a moratorium on hiring state employees.

3-14 Retirement (SB 1019) Would have allowed for early retirement.

3-15 Collective Bargaining (SB 1252) Would have allowed for collective bargaining.

3-16 Information Disclosure (HB 2098) Would have established guidelines for disclosure of information by public employees.

3-17 Vocational-Technical Educational (HB 2429) Would have created a commission for vocational and technical education.

ARKANSAS (4)

Legislation Enacted

4-1 Vocational Education (HB 64) Divides the State Department of Education into two principal divisions, the General Education Division and the Vocational and Technical Education Division, with each division under the supervision of a separate director.

4-2 Salary Increases (HB 262) Provides state employees with an average salary increase of 10% and establishes a revised compensation plan which will provide employees with an average annual step increase of 5.5%.

4-3 Insurance (HB 272) Establishes the procedures for statewide purchasing of insurance.

4-4 Retirement (HB 468) Makes retirement income from college and university plans tax exempt.

4-5 Veteran Hiring (HB 527) Provides preferential treatment in appointment and employment for veterans in certain public sector positions.

4-6 Appropriation (HB 562) Appropriates $7,325,000 for the operating expenses of Mississippi County Community College.

4-7 Appropriation (HB 759) Appropriates $3,257,212 for constructing and equipping the main campus building for Southern Arkansas University's El Dorade Branch.

4-8 Community College Bonds (HB 47) Increases the maximum allowable interest rate on community college bonds to 10% and permits such bonds to be sold at a discount.

4-9 Capital Improvement Reappropriates the balance of capital improvement appropriation for postsecondary institutions.

4-10 Agriculture Teachers Permits all public high schools offering vocational agriculture to contract with the agriculture teachers on a 12-month basis.

4-11 State Director Role (SR 31) Calls for a study of existing practice which allows for the Director of the Department of Higher Education to serve at the Governor's pleasure.

Legislation Not Passed

4-12 Uniform Compensation (SB 3) Would have prohibited the expenditure of funds for state employee salaries for those employed after January 1, 1981, unless their employment had been approved by the Arkansas Legislative Council's Uniform Personnel Classification and Compensation Plan.

4-13 Tuition Remission (HB 75) Would have provided a tuition remission at state-supported postsecondary institutions for law enforcement officers.

4-14 Administrative Reorganization (HB 573) Would have dismembered the existing University of Arkansas System.

CALIFORNIA (5)

Legislation Enacted

5-1 Deferred Maintenance (SB 841) Establishes a statutory framework for the allocation of state funds for deferred mainte-

nance and repairs, requires the Board of Governors to adopt rules and regulations for the distribution of funds, and sets guidelines for the districts receiving funds.

5-2 Loans to Community Colleges (SB 934) Authorizes loans to community college districts unable to meet their expenditure obligations.

5-3 Community College Construction Act (SB 936) Eliminates the expiration date of the Community College Construction Act of 1980; allows districts to undertake minor construction or repairs up to $150,000 without the Chancellor's approval; requires the Chancellor to act upon district projects by May 1; and, makes districts subject to a state post-audit review of fund claims.

5-4 Teaching Credentials (AB 1061) Authorizes the Board of Governors to issue certificates of eligibility in lieu of a credential without an investigation of past criminal activity until the person is employed by a community college district, at which time the Board has 120 days to grant or deny a credential and complete the criminal investigation.

5-5 Uniform Budgeting (AB 1217) Gives the Board of Governors full responsibility to define, establish, and maintain budget and accounting structure procedures for the district.

5-6 Student Affirmative Action (AB 1305) Appropriates from the loan portion of the Fund for Instructional Improvement $333,000 for fiscal years 1981-82 and 1982-83 to increase the transfer rate of students in underrepresented classifications to four-year colleges and universities; it also requires the California Postsecondary Education Commission, by December 31, 1983, to evaluate the effectiveness of community colleges' affirmative action projects.

5-7 Capital Outlay (AB 1452) Removes district capital outlay revenue (derived from permissive tax overrides) from the base used in determining districts maintenance of effort for child development.

5-8 Student Travel (AB 1452) Increases to $4 a day the overall allowance paid to students who must travel more than 90 miles to the nearest community college.

5-9 Education Code Changes (AB 1726) Repeals approximately 500 unnecessary sections of the Education Code relating to community colleges and amends 200 sections as well.

5-10 Veteran Funding (AB 175) Prioritizes Vietnam-era veterans for CWETA funds.

5-11 Field Act (AB 229) Declares that Ratcliffe Stadium is in compliance with the Field Act.

5-12 Student Confidentiality (AB 428) Authorizes that counselors may reveal confidential information to specified individuals only if they have reasonable cause to believe such disclosure is necessary to protect the health, welfare, or safety of the pupils or society.

5-13 Faculty Reassignment (AB 1149) Allows districts to reassign faculty to a maximum of 15 days for specified activities; also provides an average daily attendance factor adjustment for reassigned time in their calculations.

5-14 Part-Time Employment (AB 1162) Repeals the sunset on the law authorizing certain public school employees between the ages of 55 and 65 to be employed on a part-time basis and receive pro-rated benefits.

5-15 Student Aid Commission (AB 1373) Authorizes the Student Aid Commission to seek refunds from students who received aid based on incorrect information, and increases the exempt parental assistance amount from $750 to $1,000 per year.

5-16 Appropriation (AB 1626) Authorizes a 5% cost-of-living increase for community college apportionments and a 2.5% increase for increases in average daily attendance (ADA).

5-17 Noncredit Courses (AB 1626) Deletes $8 million from the 1981-82 apportionments for certain (avocational) noncredit courses, and deducts $1,000 per ADA for such classes from the districts.

5-18 Part-Time Faculty (AB 1626) Limits the ratio of part-time faculty in 1981-82 and 1982-83 to the 1980-81 proportion for each district; districts with fewer than 28% part-time faculty are exempt.

5-19 Retirement Funding (AB 1689) Appropriates $8 million to the State Teachers' Retirement Fund for a 2% increase in retirement allowance.

5-20 Regional Councils (AB 1728) Makes participation in regional adult and vocational education councils optional.

5-21 Property Tax Revenue (AB 1756) Requires county auditors to provide tax receipt information for each county to the Chancellor of the community college system.

5-22 Contract Limits (AB 2014) Requires school and community college districts to utilize competitive bidding in contracts involving more than $12,000 for work or more than $16,000 for materials or supplies to be sold, furnished, or leased to the district.

5-23 Standarized Tests (SB 101) Requires sponsors of standardized tests required for admission by postsecondary institutions to allow test subjects to examine actual test questions within 90 days of the release of test results.

5-24 Field Act (SB 148) Exempts the Vocational Center and Child Development Centers in the Palo Verde Community College District from the Field Act until June 30, 1983.

5-25 Salary Parity (SB 459) Authorizes the Department of Personnel Administration to compare the "value of the work" in adjusting state employee salaries.

5-26 Retirement (SB 744) Increases the retirement allowance from $16 to $18 per month for persons retired prior to 1982.

5-27 Student Aid Commission (SB 880) Requires the Student Aid Commission to make public its proposed regulation and adjustment changes to the award selection procedures with 45 days for comment.

5-28 Funding Limits (AB 1369) Establishes a 2.5% growth limit for 1981-82 and establishes a growth cap to be determined by the Chancellor for each district based on increases in adult population, unemployment, and refugees; districts will receive full funding at the incremental rate for growth up to the district cap.

5-29 Disabled Students (SB 1053) States legislative intent that disabled students at postsecondary education institutions continue to receive necessary supportive services to participate fully in the offered education programs.

5-30 Health Fees (SB 1139) Permits community college governing boards to charge a mandatory or optional health fee for each semester and to set the limits.

Legislation Not Passed

5-31 Retirement (SB 45) Would have extended the normal retirement age for new members from 60 to 63, and declared that STRS members, employing agencies, and the state contribute a percentage of salaries for retirement.

5-32 Student Fees (SB 890) Would have authorized community college students to assess themselves, by a two-thirds favorable vote of those voting, a fee not to exceed $5.00 to cover services related to instruction.

COLORADO (6)

Legislation Enacted

6-1 Facilities Authority (SB 9) Creates the Colorado Postsecondary Educational Facilities Authority as an independent body

politic and corporate and political state subdivision; it establishes a governing board and specifies the scope of its authority relating to facility financing.

6-2 Proprietary Schools (SB 240) Authorizes the State Board for Community Colleges and Occupational Education to establish standards and requirements for the awarding of educational credentials by propietary schools.

6-3 High School Seniors (SB 248) Permits local school districts to contract with accredited postsecondary institutions to allow a high school senior who has fulfilled graduation requirements to enroll in one or more postsecondary courses either at the high school or campus; the student shall be counted as a postsecondary student in accordance with the number of hours for which he is enrolled.

6-4 Direct Grants (SB 288) Provides that direct grants made to junior college districts and area vocational schools may be made directly to such districts or schools and need not be sent to the respective county treasurers.

6-5 Budget Submission (SB 360) Changes the date by which the State Board for Community Colleges and Occupational Education must submit budgets of junior college districts; it also changes the data format of the budget submitted.

6-6 District Annexation (SB 361) Provides that if a group of school districts vote on the question of annexation to a junior college district and there is not a majority vote in favor thereof in each district, any individual district which voted in favor of annexation shall be annexed.

6-7 Proprietary Schools (SB 387) Authorizes private occupational schools to award degrees.

6-8 Interstate Compact (HB 1330) Authorizes the Commission on Higher Education to enter into reciprocal agreements with contiguous states to enhance educational opportunities for Colorado residents.

6-9 Paid Student Interns (HB 1340) Authorizes responsibility of payment for Workmen's Compensation and Liability insurance benefits for persons engaged in paid, on-the-job cooperative education or internship training programs to the employee rather than the educational institutions sponsoring the program; unpaid interns will be paid by the institution.

6-10 Teacher Certificate Renewal (HB 1396) Provides that credit hours from a two-year postsecondary institution shall be applicable toward hours of renewal credit when they are applicable to an additional endorsement area or to the area of assignment of the teacher and have been approved by the State Department of Education.

6-11 Teacher Competence (HB 1412) Provides that candidates for teacher education preparation in state teacher training institutions shall be screened for competence prior to student teaching or field experience and establishes a screening program for testing basic competence.

6-12 Early Retirement (SB 174) Establishes an early retirement reduction formula.

6-13 Retirement (SB 181) Provides that the "final average salary" for purposes of calculating retirement will be based upon the highest three years of salary.

6-14 Mandatory Social Security (HJR 1017) Urges the United States Congress not to pass any legislation requiring mandatory social security coverage of state and local public employees as it would result in lower retirement benefits and intrude upon a fundamental state duty.

6-15 Appropriation Process (SB 513) Changes the appropriations process from individual appropriations to individual colleges to appropriations directly to the governing boards; authority for the decision on how much money each institution will receive and tuition decisions are also transferred directly to the governing boards.

Legislation Not Passed

6-16 Veteran Tuition Assistance (SB 82) Would have extended the Veteran's Tuition Assistance program beyond its scheduled termination date.

6-17 Summer Tuition (SB 255) Would have provided that the summer tuition rate for any postsecondary institution be based on the rate used during the fall term of the preceding year.

6-18 State System Removal (SB 379) Would have provided two mechanisms by which a community college or a junior college could be removed from the state system: an election of the junior college district or indication of no General Fund support by the Joint Budget Committee.

6-19 Student Aid (HB 1019) Would have permitted students at nonpervasively sectarian postsecondary institutions to avail themselves of state student aid.

6-20 National Guard Members (HB 1464) Would have provided that Colorado National Guardsmen be classified as in-state students for tuition purposes at every state postsecondary institution.

CONNECTICUT (7)

Legislation Enacted

7-1 Appropriation (SA 81-71) Appropriates the following for community college capital projects: $300,000 for equipment at Asnuntuck; $400,000 for renovations at Northwestern; $2,000,000 for facility construction at Norwalk; and $600,000 for equipment at Quinebaug Valley.

7-2 Student Indemnification (PA 81-450) Indemnifies students in the state system of higher education serving as members of student discipline committees.

7-3 Appropriation (SA 81-22) Appropriates $9,790,344 for the state technical colleges and $33,022,982 for the regional community colleges.

7-4 Appropriation (SA 81-63) Appropriates $42,000 for the day care center at South Central Community College.

7-5 Katharine Gibbs School (SA 81-34) Authorizes Katharine Gibbs School to award the A.A.S. and other degrees or certificates as approved by the Board of Higher Education.

7-6 Tuition Waiver (PA 81-157) Authorizes a tuition waiver or remission for part-time as well as full-time students as long as the total amount of waiver or remission does not exceed the amount of tuition paid by 10% of the full-time students enrolled.

7-7 Tuition Waiver (PA 81-252) Provides tuition waivers for active members of the Connecticut Army or Air National Guard.

7-8 Parental Loans (PA 81-13) Allows the Connecticut Student Loan Foundation to extend loans to parents as well as students.

Legislation Not Passed

7-9 Higher Education Task Force (HB 522) Would have established a Task Force to study the state system of higher education.

7-10 Board Chairpersons (HB 5399) Would have allowed each board of trustees of a constituent unit of higher education to elect its own chairperson.

7-11 Board Membership (HB 5402) Would have established guidelines for appointment to and membership on boards of trustees for constituent units of public education.

7-12 Homemaker-Health Aide Training (HB 5420) Would have appropriated $147,000 to the board of trustees of regional community

colleges for the fiscal year ending June 30, 1982 for the statewide homemaker-health aid training program administered by Mattatuck Community College.

7-13 Academic Governance (SB 187) Would have authorized the board of trustees of each of the three constituent units participating in the Central Naugatuck Valley Region Higher Education Center to be responsible for the academic programs in the institution under its jurisdiction.

7-14 Unexpended Balances (SB 188) Would have provided that equipment funds, once encumbered to fund purchases in one fiscal year, would be carried forward in the event the delivery of equipment does not occur until the next fiscal year.

7-15 Theft by Students (SB 1086) Would have required the expulsion of public college students convicted of theft of state property valued at more than $50.

DELAWARE (8)

Legislation Enacted

8-1 Appropriation Appropriates for community college operating expenses.

FLORIDA (9)

Legislation Enacted

9-1 Postsecondary Education Revisions (HB 662) Authorizes several postsecondary education administrative revisions. It inserts the terms "postsecondary" and adult postsecondary vocational program pursuant to the Uniform Vocational Plan; changes the term "occupational" to "vocational" in several statutes; requires community college placement personnel to make written recommendations concerning curriculum deficiencies to the presidents for consideration by district boards or trustees; substitutes "postsecondary" and "postsecondary adult" for "technical, skilled, and semi-skilled"; provides that Board student members' terms shall coincide with the term of office as president; deletes old language concerning the initial membership of community college boards; provides district boards of trustees with law enforcement authority; substitutes "commissioner" for "Department of Education" concerning loan authority; and, repeals SS 240.329 concerning residency for president.

9-2 Adult Education and Postsecondary Planning (HB 701) Creates the Florida Adult General Education Act and the Postsecondary Education Planning Commission and identifies their respective purposes, definitions, and responsibilities. It also provides for technical and financial assistance.

9-3 Sick Leave (HB 151) Clarifies the definition of sick leave at community colleges. To specify, it includes personal sickness, accident, disability, and extended personal illness.

9-4 Per Diem Amount (HB 277) Increases state per diem reimbursement to $50.

9-5 Educational Television (SB 79) Abolishes the Educational Television Advisory Council.

9-6 Industry Services (SB 130) Requires Industry Services Advisory Council to meet at least twice a year and advise the Director of the Vocational Education Division about industry service programs.

9-7 Residential Care Programs (SB 690) Permits community colleges, in addition to district school boards, to conduct education programs for students in residential care facilities or juvenile training schools under HRS.

9-8 Retirement (SB 689) Sets costs-of-living adjustment for all persons retired on or before July 1, 1980.

9-9 Tuition Waiver (SB 824) Provides tuition-free education at state vocational schools, community colleges, and universities for dependents of servicemen who died in the Iranian Rescue Mission.

9-10 Appropriation (HB 30-B) Appropriates $278,099,374 for community college operating expenses.

9-11 Appropriation (HB 31-B) Appropriates $21,396,703 for capital improvements.

Legislation Not Passed

9-12 Law Enforcement (HB 452) Would have authorized community college trustees to establish a policy for law enforcement operations for employee, student, and property protecton with criminal investigation prohibited.

9-13 Vocational Education (HB 1123) Would have required common course numbering for all postsecondary vocational education courses offered in school districts and community colleges; would have required school district and community college placement personnel to identify curriculum deficiencies having adverse effects on the employability of vocational students.

9-14 Optional Student Fees (SB 331) Would have permitted community college trustees to establish additional student fees, above standard fees permited by law, with additional funds to remain at the college and not be included in the state funding formula.

9-15 Tuition Waiver (SB 355) Would have required community college district trustees to provide full-time district permanent state employees up to six-credit hours instruction without cost, requiring the course to be job related and students be admitted on a space available basis.

9-16 Student Insurance (SB 424) Would have authorized community college trustees to use school funds for health, accident, hospitalization, and group insurance premiums for students in athletic competition.

9-17 Regional Consortia (SB 447) Would have required the Board of Regents to encourage formation and operation of regional post-secondary education institution consortia and provide for the administration and office operation of the approved consortia.

9-18 Sick Leave (SB 566) Would have authorized community college boards to provide accumulated sick leave terminal pay.

9-19 FTE Adjustments (SB 585/358) Would have removed from community college FTE adjustment the factor of FTE being more than 8 percent less than anticipated for the biennium; specified that senior citizens attending classes on fee waivers not be counted in FTE; and authorized other technical changes.

9-20 Visiting Professors (HB 974) Would have authorized the establishment of Florida Distinguished Visiting Professor Series Grant Program to provide community colleges with short seminars and work shops conducted by distinguished faculty; it would have appropriated money to support the program.

GEORGIA (10)

Legislation Enacted

10-1 Tuition Equalization Grants (SB 12) Authorizes tuition equalization grants for Georgia students attending private colleges at a maximum of $800; but, the legislature appropriated only $675 per student for the 1981-82 fiscal year.

10-2 Mileage Allowance (SB 18) Authorizes an increase in state automobile mileage allowance rate from 18 to 22 cents per mile; but, the legislature appropriated funds for an increase of only 20 cents per mile.

10-3 Legal Fee Reimbursement (SB 54) Amends the law relating to the provision of liability insurance for state employees, officers, and officials to allow reimbursement for legal fees and expenses incurred in the successful defense of criminal actions arising out of the performance of official duties.

10-4 Handicapped Employment (SB 102) Establishes laws governing Georgia Equal Employment for the Handicapped and provides that employers may not refuse to hire, may not limit, segregate, or classify handicapped individuals in a way which deprives them of employment opportunities.

10-5 Insurance (SB 105) Amends the present law relating to health and accident insurance contracts by requiring that all insurers provide either as a part of, or as an optional endorsement to all policies, coverage for the treatment of mental disorders to the same extent as coverage provided for the treatment of physical illness.

10-6 Computer Systems Protection Act (SB 198) Establishes Georgia Computer Systems Protection Act; defines computer-related crimes; prohibits certain accessing, altering, damaging, or destroying of computers and computer systems; and prescribes penalties for violation of the Act.

10-7 Arrests Without Warrants (SB 213) Provides that no law enforcement agency or political subdivision of the state shall adopt rules, regulations, or policies which prohibit a peace officer from using a lawful degree of force to apprehend a suspected felon.

10-8 Arts and Humanities Council (SB 215) Amends Act creating the Georgia Council for the Arts and Humanities so as to create the position of Poet Laureate to be appointed by the Governor from a list of three Council nominees.

10-9 Insurance (SB 240) Amends Georgia Insurance Code to increase from $2,000 to $5,000 the maximum amount of insurance a credit union may keep on its members.

10-10 Practical Nurse Licensure (SB 245) Amends Act providing for licensing practical nurses; authorizes the Board under certain conditions to accept applications from persons over 17 years of age who expect to complete successfully a course of training in an approved school or hospital; authorizes the Georgia Board of Examiners of Licensed Practical Nurses to prescribe the form of examination to be administered; and defines "licensed practical nursing".

10-11 Access For Handicapped (SR 54) Recites that the state has enacted laws providing easier access to public buildings and facilities by handicapped citizens and urges that state political subdivisions enact ordinances and resolutions which adopt similar policies.

10-12 Arts and Artists (SR 80) Creates the State and Arts Joint Study Committee to investigate the needs of artists and arts' organizations in Georgia.

10-13 Medical Technician Continuing Education (HB 123) Provides requirements for active practice, continuing education, and recertification of emergency medical technicians, cardiac technicians, and advanced emergency medical technicians. It also sets terms for certificate revocation and reinstatement.

10-14 Controlled Substances Act (HB 139) Amends the Georgia Controlled Substances Act to prohibit the possession, with intent to distribute, of any object or material used for the purpose of introducing into the human body marijuana or a controlled substance. The bill also prohibits advertising such products for sale.

10-15 Appropriation (HB 163) Appropriates $528,484,495 to the Board of Regents for its operations.

10-16 Supplemental Appropriation (HB 162) Increases the supplemental appropriation to the Board of Regents by the sum of $15,674,060.

10-17 Law Enforcement Officer Indemnity (HB 179) Creates the State Indemnification Fund to indemnify law enforcement officers including University System law enforcement officers killed in the line of duty.

10-18 Retirement (HB 286) Amends the Teachers' Retirement System Act to change the definition of "earnable compensation" to include monies paid by an employer for a member into any plan of tax sheltered annuity; and raises maximum percentage rate for employer contribution to 12.75 percent of salaries.

10-19 Retirement (HB 287) Amends the Teacher Retirement System Act to provide creditable service for approved leave for graduate study and establishes the criteria for approved leave.

10-20 Student Financial Assistance (HB 416) Retitles the Georgia Educational Loan Program the "Georgia Higher Educational Program"; provides that service-cancellable educational loans to National Guard members may be made to both full and half-time students up to a maximum of $800 per year; raises the private college grant authorization level to $800 (funded for 1981 at $675); and repeals the Georgia Military Scholarship Act and establishes a Military Scholarship Programs for students at North Georgia College.

10-21 Campus Police Powers (HB 551) Amends law enforcement powers of campus police to include in the definition of "campus" a distance of up to one-quarter mile of any public street or public sidewalk connecting different buildings of the same educational facility when the buildings are located within the corporate limits of any municipality having a population of 400,000 or more.

10-22 Hazardous Waste Management (HB 745) Creates a Georgia Hazardous Waste Management Authority and provides for its powers.

10-23 Student Injury (HR 21) Compensates a student for injuries sustained in a university dining hall.

10-24 Employee Compensation (HR 110) Compensates an employee for damages to his automobile caused by university personnel.

10-25 Tuition Reduction (HR 192) Requests the Board of Regents and Georgia Members of the Board of Control for Southern Regional Education to seek an agreement between Georgia and adjacent states whereby certain Georgians may attend adjacent state institutions at reduced tuition rates.

HAWAII (11)

Legislation Enacted

11-1 Incentive Grant Program (SB 931) Permits the state postsecondary education commission to cooperate with the federal government to receive federal higher education funds; provides that the maximums in amount of any grant awarded under the Hawaii state incentive program shall be equal to the maximum allowed by federal law.

11-2 Student Aid Limits (SB 1662) Provides the maximum which may be loaned under the University of Hawaii student loan program to be such amount which is the higher of the aggregate sum of $5,000 for undergraduate study and $10,000 for all combined undergraduate and graduate study or the maximum established for the National Direct Student Loan Program.

11-3 Nursing Education (SB 1642) Repeals the board of nursing's authority to approve curricula for educational program preparing people for licensure as nurses.

11-4 Driver Education (SB 567) Requires the University of Hawaii Community College employment training office rather than the director of transportation to expend fees for educating operators of motor vehicles.

11-5 Financial Aid Allocation (HB 824) Amends the law relating to the powers of the board of regents regarding financial assistance. Deletes the provision limiting to not more than 600 the number of financial aids to students which are included as part of the quota allocable to the baccalaureate campuses in the system. Allows instead the board to provide financial assistance not to exceed 5 percent of the total full-time enrollment of the previous fall semester for each campus in the system.

Amends the law relating to scholarships by repealing the provisions specifying that 85 percent of the scholarships available each year known as Hawaiian State Scholarships shall be awarded to qualified full-time students in necessitous circumstances and that 15 percent known as Hawaii merit scholarships shall be awarded to well-qualified full or part-time students. Provides instead that the scholarships, to be known as Hawaii State Scholarships, are to be awarded to qualified students who are at least half time and necessitous and who would otherwise be unable to attend the university, college, or community college.

11-6 Appropriation Appropriates $15,340,000 in general obligation bond funds for capital improvements.

11-7 Appropriation Appropriates for community college operating expenses.

IDAHO (12)

No Relevant Legislation

ILLINOIS (13)

Legislation Enacted

13-1 Scholarship Award (HB 198) Increases the full-time and part-time monetary awards from the Illinois State Scholarship Commission from $1,900 to $1,950 and $950 to $975, respectively.

13-2 Retirement (HB 289) Amends the Pension Code and grants members of the State University Retirement System the opportunity to retire early without penalty; the retiree and the last employer are required to make a one-time contribution to the system.

13-3 Name Change (HB 377) Amends various acts by eliminating obsolete references to "junior colleges" and substituting either "public community college" or "private junior and public community college".

13-4 Open Meetings Act (HB 411) Amends the "Open Meetings Act" by specifying the procedures for closing a meeting to the public; requiring public notices of closed meetings to be published; and by defining the word "meeting".

13-5 Nursing Home Employees (HB 580) Establishes a minimum of 40 and a maximum of 60 training course hours for aides, technicians, and orderlies employed by nursing homes.

13-6 Employee Probation (HB 812) Grants the University Civil Servicement Board the authority to extend an employee's probationary period from six to twelve months for certain positions.

13-7 Contracts (HB 934) Amends both the School Code and Community College Act to raise the minimum amount at which contracts must be taken from $2,500 to $5,000.

13-8 Retirement (HB 940) Amends the Illinois Pension Code by allowing annuitants of the University Retirement System to enroll part-time at a state university and still continue to receive their full retirement benefits.

13-9 Public Hearing (HB 1048) Requires local units of government seeking to hike their tax levies by more than five percent of the previous year's levy to hold public hearings on the proposed increase.

13-10 Adult Education (HB 1236) Defers repeal of adult education programs from July 1, 1981 to October 1, 1982.

13-11 Military Recruiters (SB 139) Amends certain acts requiring equal access on school campuses to official military recruiting representatives if access is allowed to persons whose purpose is making students aware of educational opportunities available to them.

13-12 Appropriation (SB 235) Appropriates $168,307,950 to the Illinois Community College Board for FY 1982 system expenses; appropriates $5,033,200 to the Board of Trustees of the State Community College of East St. Louis for FY 1982 expenses; and appropriates $973,200 for ICCB office operations.

13-13 Credit Hour Grants (SB 236) Increases the dollar amounts of credit hour grants to community college districts and eliminates certain additional grants.

13-14 Appropriation (SB 238) Appropriates $1,248,000 from the State Pension Fund to the Board of Trustees of the State University Retirement System and appropriates money to various university governing boards contributing to the Universities Retirement System.

13-15 Appropriation (SB 344) Reappropriates $515,856,875 for FY 1982 for the Capital Development Board, the Secretary of State, and Southern Illinois University.

13-16 Appropriation (SB 345) Appropriates $138,329,175 for FY 1982 to the Capital Development Board and Southern Illinois University.

13-17 Installment Loans (SB 1085) Permits colleges to obtain installment loans, under certain provisions, containing a payback period of up to 20 years.

Legislation Not Passed

13-18 Employment Discrimination (HB 357) Would have prohibited public universities and community colleges from committing employment discrimination on the basis of sexual orientation.

13-19 Student Representation (HB 442) Would have amended the Higher Education Student Assistance Law by granting voting rights to student members of the Board of Higher Education and State Scholarship Commission.

13-20 Appropriation (HB 530) Would have appropriated $32,781,576 to community colleges for FY 1982 for reimbursement of capital construction projects.

13-21 Truth in Testing (HB 550) Would have required testing agencies to file copies of the administered test and corresponding answers with the Board of Higher Education.

13-22 Tuition Waiver (HB 574) Would have authorized the Board of Higher Education to enter into reciprocal agreements with other states for mutual waiver of non-resident tuitions.

13-23 Tuition Responsibility (HB 883) Would have amended the Public Community College Act to prohibit school districts not located within community college districts from paying tuition for residents who attend community colleges; it would have required students to pay their own tuition.

13-24 Collective Bargaining (HB 1345) Would have established the right of educational employees to organize and bargain collectively and created the Illinois Educational Labor Relations Board to administer the legislation.

13-25 Adult Education (HB 1457) Would have repealed the Adult Education act and authorized school districts to offer special classes for adults and youth whose schooling had been interrupted.

13-26 Adult Education (HB 1458) Would have delayed the repeal of the Adult Education Act from July 1, 1981 to July 1, 1982.

13-27 Standardized Tests (HB 1597) Would have created an act requiring: standardized tests to be administered by the Board of Higher Education; certain reports and notices to be filed by testing agencies; and test results to be given to subjects upon request.

13-28 Income Tax (HB 1598) Would have exempted full-time students from income tax.

13-29 Student Rights (HB 1625) Would have granted student members of the Board of Higher Education full rights, including the right to vote.

13-30 Collective Bargaining (HB 1875) Would have created the Illinois Labor Relations Board to oversee labor relations between public state employees and state political subdivisions.

13-31 Collective Bargaining (SB 646) Would have authorized the right of educational employees to organize and bargain collectively.

13-32 Scholarship Recipients (SB 1090) Would have required persons receiving Illinois State Scholorships to maintain a "C" grade average.

Indiana (14)

No Relevant Legislation

IOWA (15)

Legislation Enacted

15-1 Board Meetings (HB 233) Reduces from quarterly to annually the number of meetings required between members of the boards of directors of merged area schools and members of boards of the area education agencies.

15-2 Open Meetings (HB 643) Exempts from the open meeting law those involving a governmental body discussing strategy in matters relating to employment conditions of public employees not covered by a collective bargaining agreement.

15-3 Appropriation (HB 875) Appropriates $3,320,000 in fiscal year 1982 and $6,803,000 in fiscal year 1983 for the purpose of providing the state's share of salary increases for merged area school employees.

15-4 Bid Limits (SB 146) Raises from $5,000 to $25,000 the limit on the amount for requiring bids for proposed improvements.

15-5 Investment Reports (SB 292) Strikes the requirement that an annual investment report be filed with the state auditor and the requirement that a list of depositors be filed with the county treasurer.

15-6 Block Grants (SB 563) Provides for General Assembly appropriation of federal funds received in the form of block or categorical grants.

15-7 Cash Reserve Fund (HB 865) Provides for an additional tax for a cash reserve fund contingent on certification by the board of directors of an area school.

15-8 Appropriation (SB 552) Appropriates $45,926,991 for fiscal year 1982 and $48,141,500 for fiscal year 1983.

15-9 Appropriation (SB 552) Provides for a supplemental appropriation of $79,300 in fiscal year 1982 and $100,000 in fiscal year 1983 for the vocational-technical tuition grant program.

15-10 Merged Area School Study (SB 552) Requests that the legislative council appoint a joint subcommittee to conduct a comprehensive study of the funding of the merged area school system.

KANSAS (16)

No Relevant Legislation

KENTUCKY (17)

No Legislative Session

LOUISIANA (18)

No Relevant Legislation

MAINE (19)

No Public Community Colleges

MARYLAND (20)

Legislation Enacted

20-1 Appropriation (HB 1297) Appropriates $5.6 million for the operating expenses of community colleges; $4.6 million in new money for enrollments occurring in fiscal year 1982 along with $1 million to offset a portion of the costs attributable to increased enrollment above budget projections in the current fiscal year; the measure is funded by the proceeds from the escheat or abandoned property revenues derived from inactive bank accounts.

20-2 Financial Disclosure (HB 1712) Redefines terms, repeals certain provisions, and prohibits certain actions under the financial disclosure provisions of the State Ethics Law.

20-3 Worcester-Wicomico Technical College (SB 821) Adds Worcester-Wicomico Technical Community College to other regional and small colleges for purposes of state aid treatment.

20-4 Sick Pay (SB 1070) Provides that payments on account of sick leave be treated as sick pay when paid to certain employees of public schools, higher education institutions, and libraries.

20-5 Retirement (HB 1105) Provides that a teacher in an optional retirement program may continue employment for a certain period of time after a certain age if the participant follows certain procedures.

20-6 Tax Deferred Annuities (HJR 100) Urges the Governor to organize a task force to study the purchase of tax deferred annuities on behalf of State Educational and other qualified state employees who qualify under the Internal Revenue Code.

20-7 Public Ethics Law (SB 262) Excludes certain positions including most faculty members from the definition of "public official" contained in the Maryland Public Ethics Law.

20-8 Trespass on Grounds (HB 1646) Authorizes the governing board of any public educational institution to enter into an agreement with appropriate law enforcement agencies to carry out, under certain circumstances, particular responsibilities regarding access to the institution's buildings or grounds.

20-9 Distinguished Scholar Program (HB 1561) Provides that scholarships in the Distinguished Scholar Program may be awarded on the basis of superior creative talent or skill in art, music, dance, or the theatre.

20-10 Tuition Waiver (HB 1593) Establishes a system of tuition waivers for senior citizens in all public higher education except community colleges.

20-11 Retirement (HB 103) Allows a member of the Teachers' Retirement and Pension Systems to remain in service until the end of the school year following the date on which the teacher reaches age 70.

20-12 Guaranty Fund (HB 881) Authorizes the State Board for Higher Education to create and provide for the operation of a guaranty fund for postsecondary, nondegree granting, proprietary institutions of education.

Legislation Not Passed

20-13 Worcester-Wicomico Technical College (SB 601) Would have added a member of the county council to Worcester-Wicomico Technical Community Colleges board.

MASSACHUSETTS (21)

Legislation Enacted

21-1 Appropriation (Chapter 736) Appropriates $5 million in addition to $2.5 million previously appropriated for the planning of a new campus for Roxborough Community College and further renovation and furnishing of Boston Trade School to be used as a temporary campus.

21-2 Tuition Waiver (Chapter 675) Provides that an individual sixty years of age or older may attend a public college or university tuition free on a space available basis.

21-3 Tuition Waiver (Chapter 748) Makes permanent the free tuition plan of public colleges and universities for National Guard members.

21-4 Management Pay Plan (Chapter 699) Establishes the management pay plan.

21-5 Tution Waiver (Chapter 707) Establishes thirty tuition and fee waiver scholarships that would be awarded to Indian students based on recommendations made by the Indian Scholarship Selection Committee.

21-6 Supplemental Appropriation (Chapter 7111-0111) Appropriates $400,000 to supplement the current fiscal year appropriations for Framingham State/Bay Community College Cluster; $300,000 is appropriated to the former and $100,000 to the latter.

21-7 Supplemental Appropriation (Chapter 7416-1001) Appropriates $214,000 for operation of Bunker Hill Community College.

21-8 Supplemental Appropriation (Chapter 7502-0110) Appropriates $65,000 to supplement the current appropriation at Berkshire Community College.

21-9 State Scholarship Program (Chapter 707-0006) Authorizes the Board of Regents not to expend more than $185,000 for administering State Scholarship Programs.

21-10 Capital Outlay (Chapter 7516-8751) Clarifies language related to capital outlay appropriation accounts.

MICHIGAN (22)

Legislation Enacted

22-1 Appropriation (SB 985) Appropriates $122,417,000 for the operating expenses of community colleges.

22-2 Expenditure Reduction (Exec. Order 1981-9) Mandates a 4.5% reduction in community college operating expenses.

MINNESOTA (23)

Legislation Enacted

23-1 Appropriation (HF 1474) Appropriates $620,000 for community college operating expenses.

23-2 Personnel (SF 876) Authorizes improvements in the state personnel management and labor relations function.

23-3 Appropriation (HF 230) Appropriates $42,969,400 for the acquisition and betterment of public land and buildings and other capital improvements.

23-4 Work-Study Grants (HF 518) Mandates state institutions as eligible employers for the purpose of work-study grants.

23-5 Employee Bargaining (SF 333) Establishes regulations regulating bargaining between instructional unit employees and the University of Minnesota.

23-6 Board Membership (SF 849) Adds a representative from the Minnesota Association of Private Postsecondary Schools to the Higher Education Advisory Council.

23-7 Board Authority (SF 1132) Extends to the State Board for Vocational Education the authority to approve, disapprove, or modify a plan for awarding associate degrees at an area vocational-technical institute.

23-8 Student Aid (HF 477) Authorizes the Higher Education Coordinating Board to establish and supervise one or more student loan programs.

23-9 Board Authority (SF 1113) Would have established a governance structure.

MISSISSIPPI (24)

Legislation Enacted

24-1 Health Tests (HB 355) Provides that school authorities may require tests of school employees to determine infections or communicable diseases.

24-2 Maximum Interest Rates (HB 630) Increases maximum interest rates on long-term borrowing to 8% and for notes issued prior to March 31, 1982 to 9%.

24-3 Purchasing Requirements (HB 887) Eliminates requirement that public agencies purchase goods from the State Department of Corrections.

24-4 Purchasing Procedues (SB 2241) Amends uniform purchasing procedures.

24-5 Liability Insurance (SB 2427) Authorizes junior college boards of trustees to purchase liability insurance to cover their official actions.

24-6 Short-Term Borrowing (SB 2463) Increases maximum interest to 8% on short-term borrowing by the Gulf Coast Junior College District.

24-7 Use of Improvement Taxes (SB 2533) Authorizes use of county tax enlargement and improvement taxes for junior college repairs.

24-8 Land Lease (SB 2647) Authorizes the lease of land to Meridian Junior College.

24-9 Energy Management Requires development and implementation of an energy management plan by all public agencies.

24-10 Open Meetings (SB 2113) Amends open meetings procedures to specify reasons for calling executive meeting and require recording of each vote taken in all meetings.

24-11 Appropriation (HB 1390) Appropriates $32,218,829 for vocational education.

24-12 Appropriation (HB 1391) Appropriates $1,125,000 for man-power programs.

24-13 Appropriation (SB 3066) Appropriates $149,758 to the Division of Junior Colleges.

24-14 Appropriation (SB 3082) Appropriates $39,284,250 for junior college operating expenses.

MISSOURI (25)

Legislation Enacted

25-1 Course Offerings Outside District Permits community colleges to offer courses outside district boundaries with prior approval from the Coordinating Board for Higher Education.

25-2 District Formation Permits public school districts which offered approved community college courses prior to October 1961 to petition the Coordinating Board to conduct an election to form a separate community college district.

MONTANA (26)

Legislation Enacted

26-1 Appropriation and Budget Revision (HB 69) Revises the appropriation and budget procedures relating to community colleges by authorizing:

1. that the board of trustees of a community college district shall submit a proposed budget to the Board of Regents by August 15 immediately preceding each regular legislative session;

2. all community colleges spending, that from restricted funds or funds generated by an optional, voted levy, be controlled under provisions of the state general appropriations act;

3. the annual operating budget of a community college district shall be financed from student tuition and fees (except in community service courses), a mandatory mill levy on the community college district, the state general fund appropriation, an optional voted levy on the community college district and all other unrestricted revenue;

4. by June 15 a community college board of trustees shall submit an operating budget by June 15 to the Board of Regents for their review;

5. tax levy provisions; and;

6. trustee responsibilities.

NEBRASKA (27)

Legislation Enacted

27-1 Mill Levy (LB 320E) Sunsets the authority to exceed 2 mills in fiscal year 1983-84 and provides that an area may levy no more than an additional 12.2 cents per $100 valuation to achieve the maximum increase allowed under the Political Subdivision Budget Limitation Act. It also increases the capital construction limit to $200,000.

27-2 Construction Inspection (LB 218) Exempts from the Health Department Inspection Requirements of the Manufactured Housing Act all construction for educational purposes undertaken by a school district or TCC.

27-3 Lease Agreements (LB 371) Authorizes TCCs to enter into lease or lease purchase agreements without restrictions as to the term of the agreement.

27-4 Tax Relief (LB 284) Distributed $70 million in personal property tax relief funds.

27-5 Tax Source Definition (LB 352) Defines federal tax source receipts as funds received by a political subdivision from the federal government for use for general and non-categorical purposes and enlarges the definition of combined receipts to mean funds received from local, state and federal tax sources. It also modifies the definition of anticipated funds from local tax sources to exclude receipts for any fund used for retiring, refunding, or servicing construction warrants.

27-6 Court Costs (LB 273) Authorizes that the court costs and attorney fees incurred by a public official or employee shall be paid by the governmental body which he represents.

27-7 Commissioner Powers (LB 179) Deals with various powers and duties of county officials and the tax commissioner; it provides that each county treasurer shall retain 1% of all the funds distributed under personal property tax relief funds.

27-8 Energy Legislation (LB 257) Increases the severance tax on oil and natural gas from 2% to 3% and provides that the revenues from the severance tax shall be appropriated for 2 years to the Nebraska Energy Resource Fund and the School Weatherization Fund.

27-9 Smoke Detectors (LB 296) Requires the installation of smoke detectors in all new and existing dwellings, including dormitories.

27-10 Educational Facilities (LB 321) Authorizes private educational institutions to issue certain revenue bonds in a manner similar to industrial development authorities.

27-11 Cash Fund (LB 334) Creates a cash fund for the Nebraska Coordinating Commission for Postsecondary Education which will contain money from out-of-state and private institutions, and will be used to provide and receive grants.

27-12 License Plates (LB 361) Provides that the words "tax exempt" shall appear at the bottom of several license plates issued for use on motor vehicles which have been granted tax-exempt status.

27-13 Registered Abstractors (LB 409) Requires continuing education for registered abstractors.

27-14 Retirement Contributions (LB 463) Requires TCC employees working after age 65 to continue to contribute to their retirement system until they actually retire.

27-15 Tax Commissioner Powers (LB 479) Empowers the tax commissioner to take corrective measures in any county that fails or neglects to implement the valuation guidelines promulgated by the commissioner.

27-16 Taxation of Railroad Property (LB 486) Alters the provisions relating to taxation of railroad property.

27-17 Appropriation (LB 561) Appropriates $19,280,575 for the operating expenses of technical community colleges.

Legislation Not Passed

27-18 License Plates (LB 98) Would have required that all motor vehicles owned by the TCC Area be designated with a characteristic license plate and also have the name of the Area painted on the car.

27-19 Degree Authority (LB 370) Would have permitted a private vocational education institution to be authorized to award the associate of applied science degree.

27-20 Audit Standards (LB 444) Would have established audit standards for the state auditor and all political subdivisions.

NEVADA (28)

Legislation Enacted

28-1 Fire Training (SB 74) Authorizes that the University of Nevada Board of Regents shall transfer to the state fire marshall of the Department of Commerce all inventory and equipment of the fire service training program which was purchased with money received from the Division of Vocational Education and the Department of Education.

28-2 Presidential Power (AB 662) Extends the subpoena power to community college presidents.

28-3 Employee Dismissal (AB 662) Authorizes that the Board of Regents shall adopt and promulgate regulations establishing a system of probation and fair dismissal for professional employees of community colleges.

28-4 Appropriation (SB 512) Appropriates $193,087 for the purchase of certain equipment at Western Nevada Community Colleges Fallon campus.

28-5 Appropriation (AB 705) Appropriates $219,930 for the operating expenses of community colleges.

NEW HAMPSHIRE (29)

No Public Community Colleges

NEW JERSEY (30)

No Relevant Legislation

NEW MEXICO (31)

Legislation Enacted

31-1 Appropriation (HB 10) Appropriates $5,250,600 through severance tax bonds for equipment and instructional materials at two-year colleges.

31-2 Capital Project Reports (HB 42) Requires an annual report on all capital projects commenced or in progress on or after July 1, 1981.

31-3 Contract Guidelines (HB 43) Directs the director of the property control division to annually set a maximum fee schedule for all contracts between a state agency and an architect.

31-4 Architectural Plans (HB 60) Requires public works architectural plans to be made state property and available for reproduction.

31-5 Revenue Bonds (HB 150) Increases the maximum net effective interest rate on revenue bonds from 8 to 12 percent.

31-6 Compliance Auditing (HM 63) Authorizes the BEF to begin planning for compliance auditing of the state educational institutions.

31-7 Course Funding (SB 25) Allows that the BEF should recommend funding for courses at correctional institutions on the same basis as similar courses taught elsewhere.

31-8 Appropriation (SB 43) Redesignates $300,000 appropriated in 1977 to the Roswell Branch to be used for the oil field training building.

31-9 Appropriation Appropriates $13,848,600 for the operating expenses of two-year institutions.

Legislation Not Passed

31-10 Appropriation (HB 74) Would have appropriated $2,000,000 for the Roswell Branch Building.

31-11 Appropriation (HB 116) Would have appropriated $2,000,000 for a fine arts building at Northern New Mexico Community College.

31-12 Appropriation (HB 229) Would have appropriated $385,000 for Northern New Mexico Community College programs in Taos.

31-13 Appropriation (HB 638) Would have appropriated $85,000 for proprietary school oversight.

31-14 Student Board Membership (HJR 3) Would have authorized a constitutional amendment to add a student to each Board of Regents.

31-15 Tuition Waiver (SB 17) Would have authorized tuition waivers for veterans.

31-16 Tuition Stabilization (SB 93) Would have prevented any future tuition increases.

31-17 Tuition Reduction (SB 206) Would have authorized a 60% tuition waiver for New Mexico National Guard members.

NEW YORK (32)

Legislation Enacted

32-1 Equipment Replacement (SB 2871) Authorizes the State University Board of Trustees to adopt, with Director of the Budget approval, regulations defining equipment replacement budget items for community colleges as capital or operating costs.

32-2 Equal Opportunity Funds (SB 4668) Permits the use of educational opportunity program funds for tuition.

32-3 Animal Health Practices (SB 5087) Exempts students enrolled in clinical training programs in animal health technology from requirements for limited permits to engage in the practice of animal health technology.

32-4 Law Enforcement Authority (SB 4761) Permits university law enforcement officers to issue appearance tickets.

32-5 Construction Fund (SB 6540) Amends the Education Law to authorize the State University Construction Fund to award construction contracts without competitive bidding to $20,000 instead of the present statutory limit of $10,000, and to authorize the Fund to award such contracts without requiring performance and labor and material bonds.

32-6 Defense and Indemnification Protection (SB 907) Extends defense and indemnification to public employees.

32-7 Petty Cash (SB 907) Increases from $25 to $100 the amount which agencies with petty cash accounts may expend for the single purchase of materals, supplies, or services.

32-8 Gubenatorial Authority (SB 1047-A) Provides that the President of the Higher Education Services Corporation shall serve at the pleasure of the Governor rather than for a fixed term of six years.

32-9 Contract Courses (SB 2317-A) Includes contract courses in the FTE enrollment of community colleges for purposes of state aid.

32-10 Patent Policy (SB 2321-B) Statutorily ratifies existing patent policy by directing the adoption and implementation of a patent policy for research conducted in University facilities consistent with the University's mission of education, scholarly research, and public service.

32-11 Parent Loans (SB 2879-A) Expands the eligibility of persons to receive loans to include parents of dependent students.

32-12 Financial Status (SB 2880) Amends the Education Law to delete the present resource requirement of $500,000 and substitutes a requirement that an institution which seeks authority to confer degrees must have adequate financial resources to conduct degree programs to achieve stated educational goals.

32-13 Tuition Waiver (SB 3601-C) Provides Regents scholarships for children of police, fire, and correction officers killed in the line of duty.

32-14 Contract Requirements (SB 4151-A) Requires contracts exceeding $5,000 to include a provision requiring contractors not to participate in international boycotts and violations of federal law.

32-15 Student Loans (SB 5512-A) Removes the 5% ceiling on the rate of special allowance payments to be made by the State to holders of student loans wholly guaranteed by the State made on or after July 1, 1981; the special allowance on all loans paid on or after July 1, 1981 shall not exceed 13%.

32-16 Standardized Testing Law (SB 6335) Exempts from the standardized testing law any test or portion of the test designed to evaluate manual skills or other physical abilities.

32-17 Fire Safety (SB 7080-A) Provides for the creation of a fire prevention and building code of state-wide applicability; the extension of existing State building and fire codes to areas not now covered, and enhancement of fire safety in areas of public assembly.

32-18 Tuition Assistance Program (SB 7099) Increases the maximum TAP award from $1,800 to $2,200 and the threshold for receipt of the maximum award from $2,750 to $4,000; the minimum award is increased from $200 to $250 and the ceiling on income eligibility is increased from $20,000 to $25,000; establishes a supplemental tuition assistance program that provides for up to two supplemental tuition assistance awards equal in amount to TAP awards for educationally disadvantaged undergraduates who carry a remedial workload which precludes their fulfillment of the program pursuit and academic program requirements for TAP; provides for State reimbursement to private colleges for 25% of their work study costs to be matched by each aided institution with additional financial assistance to students in financial need.

32-19 Appropriation (SB 7103) Appropriates $9,915,602,000 in accordance with new GAAP legislation requirements for the appropriation of federal funds.

32-20 GAAP (AB 3) Implements Generally Accepted Accounting Principals.

32-21 Library Support (AB 3150-A) Amends the State assistance formulas in order to increase the level of State financial support for public library systems including college and university libraries.

32-22 Class Suspension (AB 4751-A) Provides that classes be suspended at all institutions of the State University of New York on Jewish High Holy Days provided, however, that the Chancellor may at his discretion exempt any institution; this also includes the City University of New York.

32-23 Admission Information (SB 677) Would have required that any part of an application for admission to an institution of higher education within New York State which requires disclosures as to an applicant's race, religion, creed, or national origin be separated from the applicant's file and be used only for the purpose of supplying statistical information to the State and Federal governments.

32-24 Student Board Membership (SB 779) Would have extended voting privileges to student members of community college boards of trustees.

32-25 Tuition Deferral (SB 2165) Would have required public post-secondary institutions to defer tuition charges when a student has applied for assistance under the Tuition Assistance Program.

32-26 Tuition Waiver (SB 2302) Would have permitted persons 60 years of age or older to take courses for credit at state-operated institutions on a space available basis.

32-27 Regional Consortia (SB 2882) Would have permitted the establishment of regional college cooperative service agencies which can include both independent and public institutions of higher education, certain city school districts, public library systems, or reference and resource library systems; also would have established new regional government substructures which would be formally involved in master planning process.

32-28 Culturally Underserved (SB 2896) Would have authorized the Commissioner of Education to establish pilot projects pursuant to which culturally underserved individuals and groups would be issued passes to attend special programs provided by cultural and/or educational institutions or organizations. (Same as Assembly 4507).

32-29 Law Enforcement Officers (SB 3076) Would have extended to community colleges security officers the same law enforcement powers and responsibilities given last year to state university officers under the omnibus peace officers' bill.

32-30 Nursing Education (SB 3456) Would have redefined the practice of nursing and, among other things, required bacculaureate degrees for nurses and associate degrees for associate nurses.

32-31 Part-Time Student Aid (SB 3863-A) Would have extended the Tuition Assistance Program to part-time students.

32-32 Occupational Education (SB 4916) Would have authorized the Education Commissioner in consultation with the Private Industry Council, the Governor's Office, the Commerce Department and other departments and local agencies involved in economic development to develop, manage, and fund occupational and preoccupational programs to meet specific skilled manpower needs of new and expanding business and industry identified by the Commerce Department; appropriates $10 million.

32-33 Guaranteed Student Loan (SB 5605-B) Would have extended the State Guaranteed Student Loan program for one year for vocational institutions that are attempting to qualify for federal guaranteed student loans and can provide evidence that they have begun the qualification process by filing an application for accreditation with the appropriate national accrediting commission. (Same as Assembly 7997).

32-34 Tuition Reduction (SB 6904) Would have mandated the tuition rate for armed force members attending state-operated campuses to be no greater than the resident tuition rate.

32-35 Board Membership (B 6976) Would have prohibited any employee within the University of the State of New York from becoming a member of the Board of Regents.

32-36 Retirement (AB 100) Would have eliminated mandatory retirement because of age in both the public and private sectors.

32-37 Program Review (AB 1014) Would have required the State University Trustees to submit a five-year plan to the Legislature which shall review the mission and program offerings and the corresponding fiscal requirements for each of the institutions of the State University; establish system policies and procedures for development and review of institutional plans for program and mission changes in the event of enrollment declines; and recommend appropriate legislative action.

32-38 Examinations (AB 1796) Would have prohibited the posting of college exam scores by name.

32-39 Board Compensation (AB 7883) Would have authorized the appointment of at least 3 alumni to the State University Board of Trustees; at least one of them would have to be a community college alumnus.

NORTH CAROLINA (33)

Legislation Enacted

33-1 Appropriations (SB 29) Appropriates $175,420,787 to the State Board of Community Colleges for continuation of operating expenses.

32-2 Capital Improvement Appropriation (SB 30) Appropriates $13,759,416 to the State Board of Community Colleges for capital improvement expansion.

33-3 Tuition Exemption (SB 483) Waives tuition and registration fees for trainees enrolled in courses under the New and Expanding Industry Program.

33-4 Budget Preparation (HB 77) Requires local trustees to prepare annual budget requests based on available fund estimates; outlines manner in which budget must be prepared; requires budget be submitted to local authority not later than May 15; requires local board to adopt budget resolution in compliance with State Board resolution; allows local board to amend budget under State Board rules and regulations; requires local authority to provide funds to meet monthly expenditures; revises provisions relating to disbursement of state and local monies; requires each institution to establish account system consistent with procedures prescribed by Department and State Auditor; and, requires Board to fix and regulate all student tuition and fees.

33-5 Nursing Practice Regulation (HB 218) Redefines practice of nursing and specifies nine components for practice of registered nursing and five components for practice of nursing by LPN; establishes 15-member Board of Nursing and defines its rights and responsibilities regarding nursing practice.

33-6 Transcript Forgery (HB 248) Makes it a misdemeanor punishable by maximum two-years imprisonment and/or fine for falsifying with intent to defraud a secondary school or college transcript or diploma, to sell such a document knowing it is false, or to use it with intent to defraud.

33-7 Cosmetic Art (HB 279) Increases Board of Cosmetic Art membership to four by adding one public member appointed by Governor and defines its rights and responsibilities regarding cosmetic art practice.

33-8 Dental Hygiene Practice (HB 286) Allows hygienists to practice only under a dentist's supervision; prohibits a dentist in private practice from employing more than two hygienists in clinical dental hygiene positions; and sets a $50 fee for licensing out-of-state applicants.

33-9 Facility Leasing (HB 748) Requires community colleges and county and city boards of education to lease, lease-purchase, or exchange all supplies, equipment and materials in accordance with contracts made by or with approval of the Department of Administration.

33-10 Board Election (HB 958) Sets the date for the House of Representatives and Senate to each elect one member to the State Board of Community Colleges.

33-11 Tuition Waiver (HB 979) Includes custodial employees of the Department of Correction in the provisions for community college and technical institute tuition waiver.

33-12 Savings Deposit (HB 1048) Permits community colleges to deposit funds in savings and loans associations.

33-13 Board Election (HB 1054) Modifies requirements for nominating members to the State Board of Community Colleges by requiring the nominating committee of each legislative house to nominate at least one person for each person's seat to be filled by that house.

33-14 Revenue Bonds (SB 568) Amends, subject to approval of the electorate, Ariticle V of North Carolina's Constitution to authorize the issuance of revenue bonds to finance and refinance higher education facilities owned by non-profit corporations.

33-15 Resident Status (SB 746) Provides that a person who ceases to be enrolled in or graduates from an institution of higher education while classified as a resident for tuition purposes and then abandons his North Carolina domicile may re-enroll as a resident without meeting the 12-month residence requirement if he reestablishes his North Carolina domicile within 12 months of leaving and then continuously maintains the re-established domicile at least through the beginning of the academic term for which in-state tuition status is sought.

33-16 Bid-Rigging (HB 136) Makes bid-rigging a felony.

33-17 Work Options (HB 195) Establishes a work options program for state employees to be administered by the State Personnel Commission; requires that work options include job sharing, flexible work hours, and permanent part-time and temporary positions.

33-18 Retirement (HB 825) Eliminates the payment of regular interest in return of accumulated contributions from the state's retirement systems except to members with five or more years of membership service.

33-19 Resident Tuition (HB 844) Permits certain individuals as adults to preserve legal residence conferred on them as minors in the context of residentiary status for tuition purposes.

33-20 Bid Threshold (HB 897) Raises the threshold amount of construction, repair, or supply purchase contracts for which informal bids are required from $1,000 to $5,000.

33-21 Advertisement Threshold (HB 898) Raises the threshold amount of purchases under public building contracts for which formal advertisement for bids is required from $5,000 to $10,000.

33-22 Right to Invention (HB 950) Provides that an employee may retain the rights to his independently created inventions not withstanding an employment agreement to the contrary.

33-23 Payroll Deduction (HB 991) Allows any state employee who is a member of a domiciled state employees' association having at least 5,000 members to authorize periodic salary deductions of a designated amount for the association.

33-24 Strike Prohibition (HB 1064) Provides that any state or local government agency employee who, in concert with two or more other employees, strikes or willfully refuses to work is considered to have terminated his employment.

33-25 Parental Loan (HB 1291) Authorizes making parental loans to aid resident students beyond the secondary level.

NORTH DAKOTA (34)

No Relevant Legislation

OHIO (35)

Legislation Enacted

35-1 Tuition Waiver (HB 3) Exempts any person who seeks certification or recertification as EMT-A, ADVEMT-A or Paramedic and who serves as a volunteer for an emergency medical service from payment of any tuition or fee for instruction required.

35-2 Work-Study Students (HB 24) Requires educational institutions to provide workers' compensation for students in work-study programs where required as part of course of study or for completion of degree requirements.

35-3 Collective Bargaining (HB 91) Recognizes the validity of collective bargaining by public employees.

35-4 Parent Loans (HB 120) Allows Student Loan Commission to extend guaranteed loans to parents of eligible children.

35-5 Health Care Benefits (HB 126) Increases benefits and eligibility requirements for PERS and SERS health care benefits.

35-6 Bidding Procedures (HB 151) Requires bidding procedures for state purchases to give preference to American-made products.

35-7 Liability Insurance (HB 340) Permits purchase of liability insurance for certain clinical and field college students.

35-8 Part-Time Employees (HB 604) Provides for adoption of rules governing part-time, seasonal, and intermittent state employees.

35-9 Interim Budget (HB 638) Provides for an interim budget (no further information given).

35-10 Nursing Shortage Study (HJR 19) Establishes a committee to investigate Ohio's nursing shortage.

35-11 Tution Waiver (SB 10) Permits persons who have contributed 300 hours of volunteer services within a two-year period to audit courses at state colleges and universitites without payment of tuition or matriculation fees.

35-12 Income Tax Credits (SB 43) Authorizes corporate franchise and income tax credits for contributors to Ohio colleges and universities.

35-13 Instructional Fees (SB 277) Limits undergraduate instructional fees at state colleges and universities to 55% of per student subsidy.

OKLAHOMA (36)

Legislation Enacted

36-1 Appropriation Appropriates $57,422,524 for the operating expenses of public two-year colleges.

OREGON (37)

Legislation Enacted

37-1 Appropriation Appropriates $3 million for state aid to community colleges.

37-2 Board Membership (HB 2606) Bars community college employees from serving simultaneously as board members.

37-3 Annuity Agreements (HB 2511) Allows community colleges to enter into annuity agreements with property donors.

37-4 Retirement Benefits (SB 149) Combines the existing pension-plus-annuity benefits program into a single formula, with a special adjustment for those who retire during the current biennium.

37-5 Final Average Salary (SB 148) Changes the way "final average salary" (FAS) is determined for those who retire at the end of a fiscal year by adding one half of one percent to FAS for each additional month worked beyond the end of the calendar year.

37-6 Retirement (SB 197) Extends the authority of public employers to make employee Public Employee Retirement System contributions.

37-7 Retirement (SB 494) Allows Public Employee Retirement System members with 30 years of service to retire at age 55, and extends for the first time to state and community college employees the right to retire at age 58 without a pension deduction.

37-8 Retirement (SB 642) Changes the value of unused sick leave for computing retirement benefits for employees under contract for less than 12 months; for such employees, the per-day value of unused sick leave would be determined by dividing the contracted salary by 190.

37-9 Retirement (SB 843) Provides a special two-year pension increase for those already retired in addition to the annual 2% cost-of-living adjustment; the special increase is scaled from 11.4% for those retiring in 1950 or before to 4% for those retiring last year.

37-10 Health Insurance (HB 3010) Allows a local government to volunteer to let its retirees sign up for group health insurance; a given institution could pay part, none, or all of the cost of such coverage.

37-11 Retirement (SJR 34) Expresses the intent of the legislature that the Public Employee Retirement System do everything within its power to ensure that lump sum withdrawals qualify for being "rolled over" into Individual Retirement Accounts without being taxed on the interest earnings.

37-12 Reduction in Force (HB 3281) Requires community colleges when making reductions in force "to consider and maintain affirmative action plans and goals".

37-13 Discrimination Suit (HB 3074) Allows a person who feels that he has been discriminated against because of sex, national origin, etc. to file a suit in state court against the institution after having first filed a grievance with the institution.

37-14 Community Education (HB 2721) Authorizes that in a community which chooses to operate a community school program, the program shall be operated by a school district which provides elementary and secondary education; however, if a school district has no community education program it may consent in writing for formulation and operation of one by another public agency like the community college.

Legislation Not Passed

37-15 Tax Base Election (HJR 27) Would have put before the state's voters the question of whether the Oregon Constitution ought to be amended to allow local governments to hold one tax base election in odd numbered years.

PENNSYLVANIA (38)

Legislation Enacted

38-1 Appropriation (Act 5A) Appropriates $58,047,000 for operating and capital expenses of community colleges and technical institutions.

RHODE ISLAND (39)

Legislation Enacted

39-1 Name Change (SB 691) Corrects references in law to Rhode Island Junior College to restrict the name change to Community College of Rhode Island.

39-2 Telecommunications Board (SB 409) Creates three new boards to govern education and public telecommunications.

39-3 Tuition Waiver (SB 52) Reduces from age 65 to 60 the minimum age to qualify for free higher education sources under the law on elderly education benefits.

Legislation Not Passed

39-4 Adult Education (SB 521-B) Would have authorized an office of adult education and appropriated $25,000 for the Adult Education Advisory Committee.

SOUTH CAROLINA (40)

No Relevant Legislation

SOUTH DAKOTA (41)

No Relevant Legislation

TENNESSEE (42)

Legislation Enacted

42-1 Military Recruiters (SB 16) Authorizes that postsecondary institutions shall provide military recruiters access to the campus.

42-2 Student Aid (SB 45) Authorizes that payment of awards shall be made directly to students if they enroll in a non-public college or university; students who enroll in a public college or university shall have payment of awards made directly to the college or university.

42-3 Commissioner of Education (SB 762) Extends the term of the past Commissioner of Education from 9 to 12 years.

42-4 Longevity Pay (SB 49) Authorizes that longevity payment shall be made to each employee on October 1 in each year without regard to any break in an active service which may have occurred prior to such payment.

42-5 Professional Leave (HB 151) Permits state employees to use accrued leave for professional purposes.

42-6 Educational TV (SB 590) Enacts the Tennessee Educational Television Network Act of 1981 to bring about the transfer of licenses and operational responsibilities for state-owned educational television stations to appropriate local community agencies.

42-7 Group Insurance (SB 542) Provides certain state employees an option to participate in the group insurance plan for state employees who elect to enroll in certain health maintenance organizations as an alternative to the group plan.

42-8 Student Aid (SB 46) Alters the method of funding student assistance payments to persons enrolled in private business and technical schools.

42-9 Institutional Merger (HB 512) Merges Chattanooga State Technical Community College with the Chattanooga State Area Vocational-Technical School; the one institution is to be called Chattanooga State Technical Community College and under the control and management of the Board of Regents.

42-10 Student Aid Limit (SB 47) Authorizes that the maximum student assistance award shall not be greater than the total amount of tuition and mandatory fees charged by the postsecondary institution or the maximum permissable award under the federal state student incentive grant program, whichever is less.

42-11 Retirement (HB 178) Prohibits students from membership in the state retirement system.

42-12 Insurance (SB 107) Authorizes a group insurance plan for certain state employees to provide life, accident, dental, and medical expense insurance.

42-13 Employee Appeal (SB 159) Requires that appointing authorities who dismiss, demote, suspend, or transfer involuntarily from one county to another an employee, shall notify him of the right to appeal that action and the time period within which to excercise that right.

42-14 Sick Leave Incentive (HB 763) Establishes a sick leave incentive pay plan for state employees.

42-15 Appropriation (SB 997) Appropriates $32,182,900 for the operating expenses of community colleges.

42-16 Board Membership (SB 1439) Authorizes that the Governor's appointments to the Tennessee Higher Education Commission shall be relative to the representation of congressional districts.

42-17 Public Education Study (SJR 56) Creates a task force to study the Tennessee public education system.

42-18 Vocational Education (HJR 99) Directs a continuing study of all vocational education programs.

TEXAS (43)

Legislation Enacted

43-1 District Extension (HB 389) Authorizes extension of junior college district boundaries to include adjacent or contiguous school districts located in counties of 1,500,000 or more.

43-2 District Annexation (HB 1182) Authorizes annexation of territory by junior college districts with an annual income of $25 million or less.

43-3 Faculty Development Leave (SB 863) Authorizes that a faculty member on faculty development leave may accept a grant for study, research, or travel from any higher education institution, from a charitable, religious, or educational corporation or foundation, from any business enterprise, or from any federal, state, or local government agency; an accounting of all grants shall be made to the governing board of the institution by the faculty member.

43-4 Institute for the Deaf (SB 892) Authorizes that the Southwest Collegiate Institute for the Deaf is a postsecondary educational institution providing instruction for hearing impaired students preparing for a career or for enrollment in a senior college or university; the institute is under the direct control and management of the Howard County Junior College District board of trustees.

43-5 Appropriation (HB 656) Appropriates $335,051,551 for community junior college operating expenses.

UTAH (44)

Legislation Enacted

44-1 Associate Degree In Science (HB 258) Authorizes Utah Technical College at Provo to offer the Associate in Science degree on a three-year trial period with an appropriate evaluation process.

44-2 Appropriation Appropriates $24,599,700 for the operating expenses of two-year colleges.

VERMONT (45)

Legislation Enacted

45-1 Educational Television (Act No. 21) Repeals the statutes that established the Instructional TV Committee and the Educational TV Broadcasting Council, and assigns the functions of these bodies to the Educational TV Advisory Council established by the University of Vermont.

45-2 Appropriation (HB 492) Approves a 12% faculty pay increase for fiscal year 1980-81 and another 12% increase for fiscal year 1981-82 for Vermont State College faculty.

Legislation Not Passed

45-3 Real Property Disposal (HB 6) Would have required the Vermont State Colleges to obtain specific legislative permission before acquiring or disposing of real property.

45-4 Part-Time Student Aid (HB 76) Would have established a separate program of grants to part-time students and would have appropriated $50,000 to the Vermont Student Assistance Corporation to finance a one-year pilot program.

45-5 Student Aid Restrictions (HB 409) Would have imposed limits on the portability of student-aid grants and would restrict their use as well; the Vermont Student Assistance Corporation would be directed to award 80% of its Incentive Grant funds to students attending Vermont institutions and, of that amount, 75% to students attending the University of Vermont and Vermont State Colleges.

45-6 Institutional Accreditation (HB 462) Would have clarified and systematized state procedures for approving and certifying postsecondary education institutions and for granting authority to give degrees.

VIRGINIA (46)

Legislation Enacted

46-1 Property Leasing (HB 1083) Allows state agencies to lease surplus property to private individuals and firms if other agencies do not need them.

46-2 Real Estate Licensure (HB 126) Grants the Real Estate Commission discretion to waive educational requirements where a broker or salesman has education or experience equivalent to that required.

46-3 Extension Divisions (HB 1140) Defines the role and purpose of the Virginia Polytechnical and State University extension divisions and recognizes and prescribes duties and fund use of Virginia State University Cooperative Extension Service Program.

46-4 Salary Adjustment (HB 1250) Authorizes a 9% salary scale adjustment for classified employees and an 11% increase in faculty salary average for 1981-82.

46-5 Uniform Building Code (HB 1350) Authorizes a uniform statewide building code applicable to all state buildings.

46-6 State Publications (HB 1390) Requires that state agencies file their publications with the State Library and requires the State Library to send publications to certain institutions.

46-7 Endowment Funds (HB 1629) Authorizes that endowment funds and unrestricted gifts from private sources shall not be taken into consideration, nor used to reduce state appropriations.

46-8 Mining Courses (HB 1799) Authorizes training courses for mine construction workers; the training must consist of at least sixteen hours of classroom instruction and eight hours of on-the-job training.

46-9 Property Disposition (SB 655) Authorizes postsecondary institutions to provide for the disposition of certain unclaimed property.

46-10 Military Recruiters (SB 687) Allows military recruiters to have the same access to student information as given to occupational and educational recruiters.

46-11 Acquisition of Real Property (SB 806) Eliminates the requirement that the Division of Engineering and Buildings review acquisition of real property for temporary periods.

46-12 Career Education (HJR 224) Defines "career education" and requests the Department of Education to adopt the same definition.

46-13 Career Education Study (HJR 225) Continues the study of Vocational-Technical and career education.

46-14 CETA (HRJ 268) Authorizes a study of the effectiveness of the existing CETA programs.

46-15 Education Resolution (HJR 289) Expresses the sense of the General Assembly concerning education in Virginia and affirms the role of the Community College System.

46-16 Energy Program (HJR 293) Requests the Department of General Services to establish a program to monitor energy use in state-owned buildings.

46-17 Community Education (HJR 320) Continues the Joint Committee on Community Education.

46-18 Publications (SJR 166) Requests a review of State agency information publications to determine their relative value.

WASHINGTON (47)

Legislation Enacted

47-1 Retirement (HB 138) Establishes fractional service credit under Teachers' Retirement.

47-2 Delinquent Payments (HB 157) Requires agencies to pay interest on certain delinquent payments.

47-3 Student Aid (HB 464) Recycles student aid repayments and recoveries into student-aid fund.

47-4 Fund Balances (HB 561) Limits the use of fund balances.

47-5 Trustees (SB 3000) Modifies the procedure for confirmation of trustees.

47-6 Handicapped Students (SB 4090) Sets tuition at 23% of the educational costs at community colleges for a 66% increase; sets maximum resident tuition at $471.00 and maximum non-resident tuition at $1,830.00.

47-7 Professional Leave (SB 3555) Alters the professional leave reporting requirements.

47-8 Bond Sales (SB 4206, 4212, 4214) Authorizes the sale of bonds to finance community college construction.

47-9 Tuition Increases (SB 4090) Sets tuition at 23% of the educational costs at community colleges for a 66% increase; sets maximum resident tuition at $471.00 and maximum non-resident tuition at $1,830.00.

47-10 Appropriation (SB 3843) Appropriates $1,750,000 for capital improvements.

47-11 District Growth (HB 335) Expands from 22 to 23 the number of districts in the community college system.

47-12 Course Funding (HB 520) Clarifies the State Board's authority to determine the eligibility of courses for state funding. It also authorizes the boards of trustees for each community college to set fee rates for community service courses consistent with State Board regulations.

47-13 Treasurer Role (SB 3821) Authorizes the State Board to designate a treasurer to sign community college employees' paychecks.

47-14 Appropriation Appropriates $202,249,044 for community college operating expenses.

Legislation Not Passed

47-15 Sick Leave (HB 754) Would have eliminated remuneration for unused sick leave for public employees.

47-16 Annual Leave (HB 95) Would have permitted public employees to accrue up to 50 days of annual leave per year.

47-17 Fee Refunds (HB 115) Would have modified fee refund rules for courses which begin after the regular quarter.

47-18 Cosmetology Education (HB 158) Would have modified cosmetology licensing and education requirements.

47-19 Trustee Compensation (HB 177) Would have provided compensation for trustees and State Board members.

47-20 Nursing Education (HB 274) Would have modified licensing, and educational requirements for licensed practical nurses.

47-21 Displaced Homemakers (HB 286) Would have extended the Displaced Homemakers Program.

47-22 Trustee Removal (HB 361) Would have modified the procedure for removal of district trustees.

47-23 Fee Reciprocity (HB 461) Would have established fee reciprocity with the state of Idaho.

47-24 Retirement (HB 577) Would have eliminated the mandatory retirement age.

47-25 Tuition Waiver (SB 3347) Would have modified community college tuition waiver authority.

47-26 Tuition (SB 3929) Would have established vocational technical institute tuition and fees.

47-27 Enrollment Ceiling Would have imposed an enrollment ceiling on community colleges.

WEST VIRGINIA (48)

No Relevant Legislation

WISCONSIN (49)

Legislation Enacted

49-1 General Appropriation (AB 66) Appropriates $8,584,200 for the operating expenses of Wisconsin's Board of Vocational, Technical, and Adult Education.

49-2 Student Program Fees (AB 66) Increases student programs for vocational adult students from 9.5% to 10.5% at the state-wide average cost in 1982-83.

49-3 Collective Bargaining (AB 66) Reinstitutes a sunset date (July 1, 1987) for the mediation/arbitration provisions in the state collective bargaining law.

Legislation Not Passed

49-4 Sunset Law (SB 470) Would have renamed the joint legislative committee for review of administrative rules and state agencies and directed it to review each state agency for efficiency and effectiveness at least nine months prior to the scheduled automatic termination date. The committee would be required to hold a public hearing and recommend to the legislature recreation for up to six years, or automatic termination of a given agency; if the legislature does not adopt a bill recreating the agency it will terminate as scheduled.

WYOMING (50)

Legislation Enacted

50-1 Appropriation Appropriates $42,016,180 to the Wyoming Community College System.

PUERTO RICO (51)

No Relevant Legislation

APPENDIX B

INDEX TO LEGISLATION

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APPENDIX C

Letter of Inquiry

August 21, 1981

Dear Colleague:

Under separate cover we recently sent two copies of the final report on our cooperative survey of 1980 state legislative activity, State Legislation Affecting Community, Junior and Technical Colleges, 1980. We hope you and your colleagues will find it both informative and helpful in your work. As we are always trying to improve this annual survey, we welcome your ideas, comments, or suggestions concerning this report.

With the 1980 study completed, we have begun work on the survey and report of 1981 state legislative activity. As in the past, we will provide you with a preliminary report later this year for reference use before the beginning of the 1982 sessions. The 1981 survey will be the seventh annual survey of state legislation affecting community and junior colleges sponsored jointly by the National Council of State Directors of Community and Junior Colleges and The Pennsylvania State University's Center for the Study of Higher Education. Although we already have received some information regarding developments in some states during the 1981 sessions, we must now collect more systematically the legislative materials to include in the 1981 report.

Finally, as was agreed upon after discussion at our July meeting in Wyoming, we are cooperating this year with the Education Commission of the States on their Lifelong Learning Project. Our intent is to gather information regarding your views of substate cooperatives for the coordination and delivery of lifelong learning programs. The enclosed survey has been developed for that purpose. Please take the time to complete it and return to me as soon as possible. The survey calls mainly for check-off type responses and should take only a brief time for you to respond. Please be sure to complete the bottom of the last page to insure identification of your response and state. If you need clarification or want further elaboration of the survey and its purpose, please give me a call.

Again, thank you for your continued cooperation and support.

Very cordially yours,

S. V. Martorana
Professor of Higher Education
and Research Associate

Enclosure

APPENDIX D

Follow-Up Letter

September 24, 1981

Dear Colleague:

Work on the 1981 report on state legislation affecting community and junior colleges throughout the United States is going smoothly. The 1981 survey will be the seventh in the series produced thus far as a service to members of the National Council of State Directors of Community and Junior Colleges, chief executive officers of the state-level boards and agencies, and other interested parties in the field. We need and seek your assistance to maintain our work schedule.

We sent you in July a copy of the report on 1980 state legislation and a letter asking for your assistance in the forthcoming call for materials basic to the preparation of the 1981 study. Earlier this month we wrote for two pieces of information: (1) copies of the bills and/or synopsis of the 1981 state legislation affecting two-year institutions in your state, and (2) figures on the 1980-81 state appropriations and FTE figures for two-year institutions in your state. We also asked you to complete a questionnaire relating to the establishment of sub-state cooperatives to provide lifelong learning at sub-state levels. This last was a help in a compilation needed by the Lifelong Learning Project of the Education Commission of the States.

As of this date, we have received a completed questionnaire from you, for which we thank you, and look forward to receiving legislative information as soon as possible. In case the original communication was misplaced, a copy of the initial letter is enclosed for your ready reference.

Last year we received a reply regarding legislation from all fifty states and Puerto Rico, and hope the 1981 report can be equally inclusive. To do this, of course, your cooperation is essential and will be very much appreciated. We look forward to your response.

Very cordially yours,

S. V. Martorana
Professor of Higher Education
and Research Associate SVM:md

Enclosure

APPENDIX E

Follow-Up Letter

Dear Colleague:

This is to follow up on our earlier requests for your help in completing the 1981 edition of our annual compilation and analysis of state legislation affecting postsecondary education and particularly community, junior, and technical colleges. This annual report is a cooperative effort with the National Council of State Directors of Community, Junior, and Technical Colleges. Copies are provided free to state offices, and on the basis of the information we have gathered over the past six years, we provide a reference service on related questions coming from the field.

On September 2 and in a first follow-up on September 24, we requested two types of legislative information : 1) copies of the bills and/or synopsis of the 1981 state legislation affecting two-year institutions in your state, and 2) figures on the 1981-82 state appropriations and FTE figures for two-year institutions in your state. We also requested completion of a questionnaire relating to the formation of cooperatives to provide lifelong learning at sub-state levels. The latter was developed in cooperation with the Education Commission of the States' Lifelong Learning Project, to provide some legislatively related material useful to that project.

As of this date, we have received a completed questionnaire but no state legislation materials from Utah. Perhaps it is in the mail, in which case, we will be most appreciative. If a reply is not on the way, a copy of the original letter-request is enclosed to facilitate action. In any event we want very much to include reference to your state in this year's report even if no pertinent legislative activity occurred. We want to be able to note that fact accurately.

Your cooperation is essential if this year's report is to match last year's 100 percent coverage of the 50 states and Puerto Rico. That kind of coverage is one of the factors making the report a useful service to the field. Thank you again for your help. We look forward to your response.

Very cordially yours,

S. V. Martorana
Professor of Higher Education
and Research Associate

Enclosures
c: J.Broomall

APPENDIX F

August 19, 1981

Frameworks for Establishing Cooperatives to
Provide Lifelong Learning at Substate Levels
(A Survey Conducted in Cooperation with the
Lifelong Learning Project, Education Commission of the States
and The National Council of State Directors of
Community and Junior Colleges)

Introduction

This survey is a part of the annual survey of state legislation affecting community, junior, and technical colleges co-sponsored by the National Council of State Directors of Community and Junior Colleges and the Center for the Study of Higher Education, The Pennsylvania State University. Since 1979 we have supplemented the survey and analysis of state legislation affecting the two-year institution with an inquiry related to lifelong learning. Lifelong learning here is defined as a commitment to provide all adult Americans opportunity and access to learning throughout their lifetime. Following that theme, the survey this year is co-sponsored further by the Education Commission of the States' Lifelong Learning Project and is designed to achieve two purposes: (1) to gather with your cooperation a factual description of what is actually occurring in the development of cooperatives for substate, regional, and local planning and coordination of lifelong learning services in your state with particular attention to the public policy which guides such developments, and (2) to get your general appraisal of the strengths and weaknesses of the idea and practice of regional and local cooperatives for lifelong learning.

Description and Purpose of Substate Cooperatives

One proposed approach to planning and coordinating lifelong learning programs at substate levels is for school districts, counties, institutions with a similar goal, and other substate entities to be organized under a cooperative arrangement. Under the general policy direction of a council or advisory board comprised of representatives from the involved parties and general public, the cooperative arrangement typically focuses common effort on the conduct of need assessments, the cooperative design and delivery of programs responsive to indigenous needs, the provision of information regarding available learning opportunities, and the like.

Instructions

Please answer directly on this form both parts of questions which follow. If materials are added for purposes of elaboration, please attach securely to this form. Feel free to copy the form if you wish one for your file. The questions are divided into two parts. Questions in Part I are intended to find out what is actually occurring in the development of

cooperatives for substate regional and local planning and coordination of lifelong learning services in your state and what public policy is toward them. Questions in Part II seek your views concerning the strengths and weaknesses of such cooperatives. Please forward to us with your reply or under separate cover any documentary materials (i.e., studies, laws, administrative regulations, etc.) that describe public policy bearing on the subject of the survey. Your reply will be kept confidential. A report of summarized results will be provided to you as well as to the Education Commission of the States, Lifelong Learning Project, and to the National Council of State Directors of Community and Junior Colleges when the project is completed. That report will also be a part of The Pennsylvania State University, Center for the Study of Higher Education publication of 1981 state legislation relating to two-year colleges.

PART I

1. To what extent, if any, do you see evidence of the emergence of cooperatives for substate regional and local coordination of lifelong learning services in your state? (check one)

   _____A high degree of it is evident

   _____Some of this is occurring

   _____There has been discussion and planning, but an actual arrangement does not exist

   _____It is not occurring and there are no serious discussions concerning their establishment at this time.

   (Please send us any available relevant documentary materials that describe the evidence noted above. Check to indicate if such material is enclosed_____; being sent separately_____.)

2. Do cooperatives for substate coordination of lifelong learning services in your state now exist within a consitutional, statutory, or administrative policy framework? (check all that apply)

   _____Constitutitonal

   _____Statutory

   _____Administrative

   _____All

   _____Other (Explain)

   (Please send us any available documentary materials that describe the bases of authority of existing cooperatives. Check to indicate if such material is enclosed_____; being sent separately_____.)

PART II

Now that you have provided us with factual information about existing cooperatives for substate coordination of lifelong learning services, we would like to know your views about the strengths and weaknesses of such cooperatives as a general approach to providing lifelong learning.

1. To what degree do you as a state-level educational official and leader believe cooperatives for substate coordination of lifelong learning services to be a good idea in general? (check one)

   _____High

   _____Moderate

   _____Low

   _____I do not believe them to be useful

   Please elaborate why you hold this view_____

   _____

   _____

   _____

   _____

   _____

2. If local cooperatives for substate coordination of lifelong learning services exist in your state, what is your best estimate of their overall effectiveness in sharing institutional resources to meet the educational needs of their clientele?

   _____Very effective

   _____Somewhat effective

   _____Not very effective

   (Please send us any available documentary materials which elaborate on your estimate. Check to indicate if such material is enclosed_____; being sent separately_____.)

3. Where such cooperatives for substate coordination of lifelong learning services exist in your state, does each of the participating member organizations (public and private universities, two-year colleges, four-year colleges, public schools, etc.) in general have what you would describe as equitable and adequate representation and weight in their design, policy direction, and implementation of local programs and services as detailed below?

	Yes	No
Design or form of organizational structure	___	___
Policy Formulation and Direction (Adequately represented on Advisory Body or Board)	___	___
Service Delivery (i.e. when and where a given program is offered and the instructional means used)	___	___

(Please send us any available documentary materials which describe the design, policy direction, and program implementation procedures of cooperatives in your state. Check to indicate if such material is enclosed_____; being sent separately_____.)

4. Where in your observation and belief there is <u>one</u> clearly identifiable catalyst or "leader" within the group of cooperating organizations in the development of substate cooperatives for the planning and coordination of lifelong learning, which ones play that role among the cooperatives with which you are familiar? (Please reply for as many cooperatives as you wish, i.e., if you know of three cooperatives, respond regarding each one of them and enter a checkmark beside the appropriate leadership source(s) for each one. The same leadership designation may be repeated as predominant for as many cooperatives as predominately led.)

Check <u>X</u> in the form to indicate the predominant leadership source. For each cooperative; extend numbering to more columns and pages if necessary.

Predominant Leadership in Cooperative # Exercised by	#1	#2	#3	#4	#5	#6	#7	#8	#9	#10
Local School District										
Two-year College										
Four-year College										
State Education Agency										
Agricultural/Cooperative Extension										
Business Industry										
Local Citizen Group										
Community Education Program										
City or County Government Unit										
No single "leader"										
Other (Describe)										

(Please send us any available elaborating documentary materials. Check to indicate if such materials are enclosed_____; being sent separately_____.)

5. In your judgment, what roles if any should centralized state education agencies play regarding these substate planning and coordination efforts for lifelong learning? ("State education agencies" are defined here to include departments of education, postsecondary education coordinating/governing boards, state boards of vocational education, state community college boards, or the like.) (Check all roles that apply.)

_____Helping to get more of these cooperatives organized.

_____Providing minimal operating funds and helping to defray "start up" costs.

_____Supporting professional development activities for advisory board members, staff, and volunteers who work with such cooperatives.

_____Insuring that all of the geographic area of the the state is encompassed by the total complex of such cooperatives.

_____Conducting statewide needs assessments through these cooperatives.

_____Collecting evaluative data, including information about participation rates in various types of learning through these local cooperatives.

_____Helping to publicize the existence and services of these cooperatives.

_____Formulating cooperative policies through memos of agreement, by-laws, and other formal mechanisms.

_____(Other) Please state_____

_____

6. Because of the heavy involvement of private entities in some local cooperatives, all of the institutions, organizations, or agencies involved in them would not be subject equally to public agency policy direction. Public agencies, however, might form agreements contractual or otherwise to deliver certain services through these entitites in ways which utilize private educational and training resources.To what extent do you consider this to be a feasible expectation:

_____highly feasible

_____somewhat feasible

_____not feasible.

7. Historically educational and training resources for lifelong learning have operated essentially on a self-supporting financial basis or with a minimum level of public subsidy. This has made them relatively immune from moves toward centralized planning, coordination, or policy direction. Keeping in mind collectively those resources for providing lifelong learning programs and services that have been most successful in operating on an essentially self-supporting basis in your state, please check in the space below to indicate the level of feasibility you would attach to the likelinood of their cooperating voluntarily in substate cooperatives for lifelong learning in the context of each of the activities listed.

Activity	Feasibility of Voluntary Cooperation by Successful Self Sustaining Resources			
	High	Somewhat	Low	None
Helping to get more of these cooperatives organized.	____	____	____	____
Providing minimal operating funds and helping to defray "start up" costs.	____	____	____	____
Supporting professional development activities for advisory board members, staff, and volunteers who work with such cooperatives.	____	____	____	____
Insuring that all of the geographic area of the state is encompassed by the total complex of such cooperatives.	____	____	____	____
Conducting statewide needs assessments through these cooperatives.	____	____	____	____
Collecting evaluative data, including information about participation rates in various types of learning through these local cooperatives.	____	____	____	____
Helping to publicize the existence and services of these cooperatives.	____	____	____	____
Formulating cooperative policies through memos of agreement, by-laws, and other formal mechanisms.	____	____	____	____

(Other) Please state _____

_____

Name _____ Date _____

Title _____ Agency/State _____

NOTES ON THE AUTHORS

S.V. MARTORANA is research associate at The Center for the Study of Higher Education and professor of higher education in the College of Education at Penn State. Dr. Martorana has an M.A. and Ph.D. in education from the University of Chicago. Previously he served in a number of administrative and policy-making capacities in higher education, particularly in the areas of community colleges and statewide planning and coordination. He has published numerous books, monographs, and articles in these areas, among which are College Boards of Trustees, Criteria for Establishing Two-Year Colleges (with D. Grant Morrison), State Boards Responsible for Higher Education (with Ernest V. Hollis), Managing Academic Change (with Eileen Kuhns), The Political Terrain of American Postsecondary Education (with Clyde Blocker and Louis W. Bender), and Regionalism in American Postsecondary Education (with Lawrence A. Nespoli).

JAMES K. BROOMALL is a research assistant at The Center for the Study of Higher Education of The Pennsylvania State University and a doctoral candidate in higher education. He holds a B.A. with honors from the University of Delaware and an M.Ed. from North Carolina State University. Previously he has worked in an administrative capacity for North Carolina State University and the University of North Carolina at Chapel Hill, and also has taught at Penn State. His publications include: "Correspondence Instruction and the Adult Student," (with N.H. Loewenthal and J. Blackwelder), "Support for the Correspondence Student," "Public School-Two-Year College Coordination of Lifelong Learning: The Public Policy Context" (with S.V. Martorana), and State Legislation Affecting Community and Junior Colleges, 1980 (with S.V. Martorana).

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